

FILED

AUG 30 2011

DEPARTMENT OF REAL ESTATE
By R. Max

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
GINA MENESES TCHIKOVANI,
Respondent.

H-11126 SF

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on August 4, 2011, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license and/or license rights on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1

On April 21, 2011, E. J. Haberer, II, made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on April 25, 2011.

On August 4, 2011, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4, of the California Business and Professions Code ("the Code") as a real estate salesperson.

On or about March 7, 2011, in the United States District Court, Northern District of California, Case No. CR-10-00100-001 MHP, Respondent was convicted of violating 18 United States Code Section 1349 (conspiracy to commit wire fraud), a felony and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

Cause of disciplinary action against Respondent exists with reference to the convictions set out in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

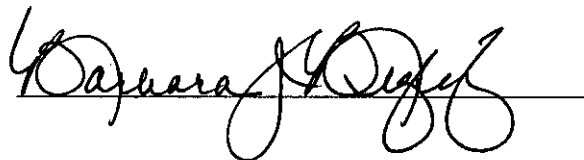
All licenses and licensing rights of Respondent GINA MENESES TCHIKOVANI under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on

SEP 20 2011

DATED: 8/26/11

BARBARA J. BIGBY
Acting Real Estate Commissioner



1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

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7 BEFORE THE DEPARTMENT OF REAL ESTATE
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9 STATE OF CALIFORNIA

10 In-the Matter of the Accusation of)
11) H-11126 SF
12 GINA MENESES TCHIKOVANI,)
13 Respondent.) DEFAULT ORDER
14)

15 Respondent, GINA MENESES TCHIKOVANI, having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in default.
17 It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED August 3, 2011.

19 BARBARA J. BIGBY
20 Acting Real Estate Commissioner

21
22 By:

Phillip Ihde
23 PHILLIP IHDE
24 Northern Regional Manager
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26
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FILED

APR 25 2011

DEPARTMENT OF REAL ESTATE
By *R. Mar*

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 ***

11 In the Matter of the Accusation of)
12) No. H-11126 SF
13 GINA MENESES TCHIKOVANI,)
14 Respondent.) ACCUSATION
15)

16 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of
17 the State of California, for cause of Accusation against GINA MENESES TCHIKOVANI,
18 (hereafter "Respondent"), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in his official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate
23 Law, Part 1 of Division 4 of the Business and Professions Code (hereafter "the Code") as a real
24 estate salesperson.

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26 ///

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On or about March 7, 2011, in the United States District Court, Northern District of California, Case No. CR-10-00100-001 MHP, Respondent was convicted of violating 18 United States Code Section 1349 (conspiracy to commit wire fraud), a felony and a crime that bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

The facts alleged in Paragraph 3, above, constitute cause under Sections 490 (conviction of crime) and 10177(b) (conviction of crime) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Code, and for such other and further relief as may be proper under the provisions of law.


E. J. HABERER, II
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 21st day of April, 2011.