

**FILED**  
SEP 13 2011

DEPARTMENT OF REAL ESTATE  
By R. M. [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of )  
JEANIE SEE CUSING, ) H-11129 SF.  
Respondent. )

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 30, 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 29, 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 May 2, 2011.

On August 30, 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 April 8, 2011, in the United States District Court, Northern District of California, Case No. CR-10-00156-001 SI, Respondent was convicted of violating 18 United States Code Section 1344 (bank 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.

DETERMINATION OF ISSUES

Cause for disciplinary action against Respondent exists with reference to the conviction 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 JEANIE SEE CUSING under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

OCT - 4 2011 Decision shall become effective at 12 o'clock noon on \_\_\_\_\_

DATED: 9/8/11

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

**FILED**

AUG 30 2011

DEPARTMENT OF REAL ESTATE  
By R. Max

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 \*\*\*

10 In the Matter of the Accusation of )  
11 ) H-11129 SF  
12 JEANIE SEE CUSING, )  
13 Respondent. ) DEFAULT ORDER  
14 )

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

18 IT IS SO ORDERED AUGUST 30, 2011.

19 BARBARA J. BIGBY  
20 Acting Real Estate Commissioner

21  
22 By:

Phillip Hilde  
23 PHILLIP HILDE  
24 Northern Regional Manager  
25  
26  
27

1 JOHN W. BARRON, Counsel (SBN 171246)  
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**FILED**  
MAY - 2 2011

DEPARTMENT OF REAL ESTATE  
By R. M. F.

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \*\*\*

11 In the Matter of the Accusation of )  
12 ) No. H-11129 SF  
13 JEANIE SEE CUSING, )  
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 JEANIE SEE CUSING, also known as  
18 "Jeanie S. Sylva", (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.

25 3


26 On or about April 8, 2011, in the United States District Court, Northern District  
27 of California, Case No. CR-10-00156-001 SI, Respondent was convicted of violating 18 United

1 States Code Section 1344 (bank fraud), a felony and a crime that bears a substantial relationship  
2 under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or  
3 duties of a real estate licensee.

4 4

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

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

12  
13   
14 E. J. HABERER, II  
15 Deputy Real Estate Commissioner

16 Dated at Oakland, California,  
17 this 29<sup>th</sup> day of April, 2011.  
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