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FILED

MAY 20 2022

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 ELEONORA MAKSIMENKOVA,) No. H-12595 SF
13 Respondent.) STATEMENT OF ISSUES

14 The Complainant, STEPHANIE YEE, a Supervising Special Investigator of the
15 State of California, for Statement of Issues against ELEONORA MAKSIMENKOVA
16 (“Respondent”), is informed and alleges as follows:

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18 Complainant, STEPHANIE YEE, a Supervising Special Investigator
19 of the State of California, makes this Statement of Issues in her official capacity.

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21 Respondent made application to the Department of Real Estate of the State of
22 California for a real estate salesperson license on or about April 20, 2021.

23 NEW YORK STATE BOARD OF LAW EXAMINERS PROCEEDINGS

24 3

25 Respondent was a candidate for the July 2019 New York State bar examination.

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2 By letter dated September 18, 2019, from the New York State Board of Law
3 Examiners, Respondent was served with a Notice of Charges alleging misconduct during the bar
4 examination in violation of the Rules of the State Board of Law Examiners, specifically 22 of the
5 New York Code, Rules, and Regulations (NYCRR) Section 6000.13, which prohibits Fraud,
6 Dishonesty and Other Misconduct.

7 Charge I alleged that Respondent violated 22 NYCRR 6000.13(a)(12) in that she
8 sought, obtained and used another candidate's answers to the Multistate Bar Examination
9 multiple choice questions during the morning session of the bar examination on Wednesday, July
10 31, 2019.

11 Charge II alleged that Respondent violated 22 NYCRR 6000.13(a)(12) in that she
12 sought, obtained and used another candidate's answers to the Multistate Bar Examination
13 multiple choice questions during the afternoon session of the bar examination on Wednesday,
14 July 31, 2019.

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16 On or about October 18, 2022, Respondent, appearing pro se, filed a Verified
17 Answer. In the answer Respondent provides that she "does not wish to dispute the charges
18 against [her]" and admits that "another candidate's paper happened to be close enough for [her]
19 to glance over" which "influenced her decision with regard to answers to certain questions, even
20 the ones [she] originally felt confident about."

21 Respondent also submitted evidence in mitigation.

22
23 On or about July 30, 2020, the New York State Board of Law Examiners, issued
24 its Determination finding Respondent guilty of copying on the Multistate Bar Examination
25 during the morning and afternoon sessions of the bar examination on Wednesday, July 31, 2019.
26 The Board imposed the following penalties:

- 27
- Nullification of Respondent's examination results from the July 2019 bar examination.

- 1 • Forfeiture of all fees paid by Respondent for the July 2019 bar examination.
- 2 • Disqualification of Respondent from applying for the New York State Bar Examination
- 3 for six (6) administrations of the bar examination following the misconduct. The next
- 4 examination for which Respondent may make application is the February 2023 bar
- 5 examination.
- 6 • Upon certification after passing the New York State Bar Examination a copy of the
- 7 Determination to the Appellate Division having jurisdiction over Respondent's admission
- 8 in New York State. A copy of Respondent's file will be made available to the Appellate
- 9 Division for consideration by its Committee on Character and Fitness upon its request.

10 GROUND FOR DENIAL

11 7

12 Respondent's nullification of examination results and disqualification from

13 applying for the New York State Bar Examination as described in Paragraphs 3 through 6, show

14 Respondent conducted herself in a manner that would have warranted the denial of her

15 application for a real estate license under Sections 10153.01 (examinations –

16 cheating/subversion) and/or 10177(a) (attempting to procure license by fraud) of the Code and

17 constitutes cause for denial of Respondent's application for a real estate salesperson license under

18 Section 10177(f) of the Code.

19 8

20 Respondent's nullification of examination results and disqualification from

21 applying for the New York State Bar Examination as described in Paragraphs 3 through 6, show

22 Respondent engaged in conduct, that constitutes fraud or dishonest dealing and is grounds for

23 denial of Respondent's application for a real estate salesperson license under Section 10177(j) of

24 the Code.


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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent, and for such other and further relief as may be proper under other provisions of law.


STEPHANIE YEE
Supervising Special Investigator

Dated at Oakland, California,
this 19th day of May, 2022.

DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Government Code*, the Department of Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Department of Real Estate may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.