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JAN 13 2026

DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of:)	DRE No. H-12778 SF
)	
LADARELL SHARON HARTS, JR.,)	OAH No. 2025090299
)	
)	
<u>Respondent.</u>)	

DECISION

The Proposed Decision dated October 27, 2025, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The application for a real estate salesperson license is denied, but the right to a restricted real estate salesperson license is granted to Respondent.

Pursuant to Government Code Section 11521, the Department of Real Estate may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire thirty (30) days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

This Decision shall become effective at 12 o'clock noon on FEB 03 2026

IT IS SO ORDERED January 12, 2026

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER



**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

LADARELL SHARON HARTS, JR., Respondent.

Case No. H-12778 SF

OAH No. 2025090299

PROPOSED DECISION

Administrative Law Judge Karen Reichmann, State of California, Office of Administrative Hearings, heard this matter on October 1, 2025, by videoconference.

Real Estate Counsel Jack Gonzalez, Jr., represented complainant Stephanie Yee, Supervising Special Investigator, Department of Real Estate, State of California.

Respondent Ladarell Sharon Harts, Jr., appeared and represented himself.

The record closed and the matter was submitted for decision on October 1, 2025.

FACTUAL FINDINGS

1. On February 26, 2024, respondent Ladarell Sharon Harts, Jr., submitted an application to the Department for a real estate salesperson license. The application is pending and no license has been issued.
2. On August 11, 2025, complainant Stephanie Yee brought the statement of issues solely in her official capacity as a Supervising Special Investigator of the Department of Real Estate (Department). Complainant alleges cause to deny respondent's application exists due to a criminal conviction.
3. Respondent timely filed a notice of defense.
4. On April 11, 2017, respondent was convicted in the Superior Court of California, County of Contra Costa, pursuant to a plea, of violating Penal Code section 245, subdivision (a)(2) (assault with a firearm), a felony, with an enhancement under Penal Code section 186.22, subdivision (b)(1)(B) (gang affiliation). Respondent was sentenced to eight years in prison, with credit for time served.
5. The offense took place at approximately 5:30 a.m. on December 21, 2015. The passenger of a vehicle respondent was driving shot a man who was waiting for a ride to work. Respondent drove away from the scene with the shooter. The shooter and other passengers in the car were affiliated with a gang. Respondent painted his car in an attempt to avoid detection. When arrested, respondent initially lied to police officers by stating that others had borrowed his car and that he had not been present during the shooting.
6. Respondent acknowledged his conviction and expressed remorse. Respondent was 19 years old at the time of the crime. He denied a gang affiliation and

testified that the shooter was a friend of a friend whom respondent had just met the evening of the crime. Respondent thought they were "just out to have a good time" when he agreed to pick up people he did not know and drive them where they wanted to go. He testified that he "should have asked more questions," and acknowledged that his presence and actions during the incident made him accountable. Respondent acknowledged that he was not truthful when first interviewed by the police, and that this was "the wrong thing to do." Respondent's testimony was sincere and credible.

7. Respondent was released from custody on June 19, 2019. He was compliant with the terms of his release and was discharged from parole on February 14, 2022. Respondent was ordered to pay restitution and has been making regular monthly payments.

8. Respondent has no other criminal history.

9. Respondent wants to prove that he was not who his conviction would suggest he is. He sought educational opportunities as soon as he arrived in prison, including a reading program and computer literacy program. He has also taken some college courses.

10. Since his release from custody, respondent has tried to better himself. He has maintained steady employment, working as a carpenter, an iron worker, and as a technician at the Chevron refinery. He has also sought guidance from one of his bosses, who is a pastor, and who has helped him "see God's plan."

11. The following four witnesses testified in support of respondent's application:

a. Anthony Chavez, the owner of East Bay Design Builders, testified and also wrote a letter. He hired respondent in 2019, right after respondent had been released from custody. Respondent was upfront about his criminal conviction. Chavez testified that respondent has been a faithful and trusted employee who does whatever he is asked to do. Chavez described respondent as responsible, dependable, hardworking, honest, and providing exceptional customer service. Respondent anticipates project needs, solves problems quickly, and communicates well. Chavez has held a real estate license for more than 20 years and supports respondent entering the real estate profession.

b. Jaynette Lancaster is a family friend who has worked in the real estate industry for many years. She wrote a letter and testified at the hearing. Respondent approached her about three years ago and expressed an interest in learning about the field, and she agreed to mentor him despite his criminal history. Lancaster testified that respondent has pushed himself to follow all advice she has given him. She has found him to be apologetic for his past, well-spoken, professional, respectful, humble, and driven to succeed. She believes that respondent has transformed himself into a model citizen and exemplary husband and father who deserves the opportunity to follow his chosen path.

c. Respondent's mother, Kelly Erickson, testified that respondent made a big mistake but has paid for it and deserves not to be held back from living up to his capabilities. She believes that he is an amazing person and has done what he needed to do to change his life.

d. Respondent's wife, Daisy Harts, first met respondent when they were teenagers. She was surprised when she learned that he was in prison for a serious felony. She and respondent reconnected when he was released from custody. She had

three children by this time, and together with respondent had a fourth child. Harts testified that respondent works hard to provide for their children and to be a role model. She described respondent as happy and motivated and someone who connects well with everyone. His criminal history has been a difficult burden to carry, and she hopes that he will be permitted to move past it.

12. Respondent submitted three additional letters written on his behalf:

a. Ryan Holland was respondent's supervisor earlier this year when respondent worked as a technician for TEAM inside the Chevron refinery in Richmond. Holland wrote that respondent showed up to work on time and with an excellent attitude every day, and demonstrated a professional demeanor.

b. Respondent's grandmother, Maralyn Jammal, wrote that respondent's father was in prison for 15 years, leaving respondent feeling responsible to protect his mother and younger sisters. Regarding his conviction, she believes that he used very poor judgment choosing who to associate with, but never intended to hurt anyone. She described respondent as a gentle and loving person who grew up without training or guidance in how men should behave.

c. Respondent's aunt, Tawnya Erickson, wrote that respondent has always been a gentle, loving, responsible, and caring young man. She believes he was in the wrong place at the wrong time and has suffered repercussions from another's bad decision. She believes he deserves a second chance to prove who he really is.

13. Respondent seeks a real estate license to better himself and to provide for his wife and their four children. His hope is that he will be able to pay for the children to pursue college education. He is also in the process of applying for a contractor's license to further his goals.

LEGAL CONCLUSIONS

1. Respondent has the burden of proving by a preponderance of the evidence that he is fit for the license he seeks and that his application should be granted. (Evid. Code, § 115.)

2. Business and Professions Code sections 480, subdivision (a)(1), and 10177, subdivision (b), provide that the Department may deny the application of an individual who has been convicted of a crime that is substantially related to the qualifications, functions, or duties of a licensee. Respondent's conviction for assault with a firearm is substantially related to the qualifications, functions, or duties of a real estate licensee. (Cal. Code Regs., tit. 10, § 2910, subd. (a)(8).) Cause for denial was established in light of the matters set forth in Factual Findings 4 and 5.

3. In California Code of Regulations, title 10, section 2911, the Department has established criteria to be used in evaluating the rehabilitation of an applicant who has committed a criminal offense. These criteria include: the passage of not less than two years since the most recent conviction or act that provides grounds for denial, the nature and severity of the offenses, payment of restitution, expungement of convictions, successful completion or early discharge from probation, abstinence from controlled substances and/or alcohol, payment of fines, stability of family life, education or vocational training, significant community involvement, formation of new social and business relationships, and a change in attitude from that which existed at the time of the criminal conduct.

4. Respondent was involved in a serious, violent crime during which an individual was shot. Respondent was only 19 years old at the time and it has been close to 10 years since the offense. Respondent accepted responsibility for his role in the offense. He completed his prison sentence and was released from parole more than three years ago. Respondent makes regular payments towards restitution. Respondent demonstrated his sincere efforts to rehabilitate himself. He has maintained employment and sought opportunities to further his goals, including through a mentor in the real estate professions. He has the strong support of family members and a stable family life with his wife and children.

Respondent demonstrated that he is sufficiently rehabilitated to be granted a license. Counsel for complainant acknowledged respondent's significant showing of rehabilitation and did not oppose licensure. It would not be against the public interest to grant respondent a restricted real estate salesperson's license.

ORDER

The application of respondent Ladarell Sharon Harts, Jr., for a real estate salesperson license in the State of California is DENIED; provided, however, a restricted real estate salesperson license shall be issued to respondent pursuant to Business and Professions Code section 10156.5. The restricted license shall be subject to all of the provisions of Business and Professions Code section 10156.7 and to the following limitations, conditions, and restrictions imposed under authority of Business and Professions Code section 10156.6:

1. The license shall not confer any property right in the privileges to be exercised, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:

- (a) the conviction of respondent (including a plea of nolo contendere) of a crime which is substantially related to respondent's fitness or capacity as a real estate licensee; or
- (b) the receipt of evidence that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or conditions attaching to this restricted license.

2. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner. The letter shall set forth the date of respondent's arrest, the crime for which respondent was arrested, and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

3. With the application for license, or with the application for transfer to a new employing broker, respondent shall submit a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify as follows: (a) that the employing broker has read the Decision which is the basis for the issuance of the restricted license; and (b) that the employing broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until three years have elapsed from the date of issuance of the restricted license to respondent.

DATE: 10/27/2025

Karen Reichmann

KAREN REICHMANN

Administrative Law Judge

Office of Administrative Hearings