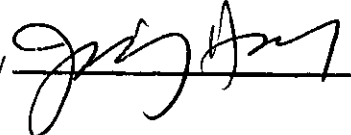


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FILED
MAY 23 2001

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-23563 LA
JEFFERY DEAN WALLIN,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 12, 1989, a Decision was rendered herein revoking the real estate salesperson license of Respondent JEFFERY DEAN WALLIN, ("Respondent") but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on June 16, 1989.

On April 8, 1999, Respondent petitioned for Reinstatement of said real estate salesperson license. An Order Granting Reinstatement of License granted Respondent's petition effective July 1, 1999, on certain conditions. Respondent failed to meet the conditions of said Order and his license was not reinstated.

1 On December 15, 2000, Respondent again petitioned for
2 reinstatement of said real estate salesperson license and the
3 Attorney General of the State of California has been given
4 notice of the filing of said petition.
5

6 I have considered the petition of Respondent and the
7 evidence and arguments in support thereof. Respondent has
8 demonstrated to my satisfaction that Respondent meets the
9 requirements of law for the issuance to Respondent of an
10 unrestricted real estate salesperson license and that it would
11 not be against the public interest to issue said license to
12 Respondent JEFFERY DEAN WALLIN.

13 NOW, THEREFORE, IT IS ORDERED that Respondent's
14 petition for reinstatement is granted and that a real estate
15 salesperson license be issued to Respondent, if Respondent
16 satisfies the following conditions within nine (9) months from
17 the date of this Order:

18 1. Submittal of a completed application and payment
19 of the fee for a real estate salesperson license.

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1 2. Submittal of evidence of having, since the most
2 recent issuance of an original or renewal real estate license,
3 taken and successfully completed the continuing education
4 requirements of Article 2.5 of Chapter 3 of the Real Estate
5 Law for renewal of a real estate license.

6 This Order shall be effective immediately.

7 Dated: May 10, 2001

8
9 PAULA REDDISH ZINNEMANN
10 Real Estate Commissioner

11 *Paula Reddish*
12 _____
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26 cc: Jeffery Dean Wallin
27 P.O. Box 1803
 Chino, CA 91708

Sacto

FILED
JUL 06 1999
DEPARTMENT OF REAL ESTATE
By *[Signature]*

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DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-23563 LA
JEFFERY DEAN WALLIN)
Respondent.)
_____)

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 12, 1989, a Decision was rendered herein revoking the real estate salesperson license of Respondent, JEFFERY DEAN WALLIN (hereinafter "Respondent"), effective June 13, 1989, but granting Respondent the right to apply for and be issued a restricted real estate salesperson license. Said restricted real estate salesperson license was issued to Respondent on June 16, 1989, and was due to expire on June 14, 1999.

On April 8, 1999, Respondent petitioned for reinstatement of said real estate salesperson license and the Attorney General of the State of California has been given notice of the filing of said petition.

1 I have considered Respondent's petition and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that grounds do not presently
4 exist to deny the issuance of an unrestricted real estate
5 salesperson license to Respondent.

6 NOW, THEREFORE, IT IS ORDERED that Respondent's
7 petition for reinstatement is granted and that an
8 unrestricted real estate salesperson license be issued to
9 Respondent, JEFFERY DEAN WALLIN , after Respondent satisfies
10 the following conditions within six months from the date of
11 this Order:

- 12 1. Submittal of a completed application and
13 payment of the fee for a real estate salesperson license.
- 14 2. Submittal of evidence satisfactory to the Real
15 Estate Commissioner that Respondent has, since June 14, 1995,
16 taken and successfully completed the 45 hours of education
17 required in Section 10170.5 of the Business and Professions
18 Code for renewal of a real estate license.

19
20 This Order shall become effective immediately.

21 DATED: July 1, 1999.

22 JOHN R. LIBERATOR
23 Acting Commissioner

24 John R. Liberator
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JEFFERY DEAN WALLIN
13629 Van Horn Circle East
Chino, California 91708



DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)
)
)
JEFFERY DEAN WALLIN,)
)
)
)
Respondent.)
_____)

NO. H- 23563 LA

L- 45833

DEPARTMENT OF REAL ESTATE
BY Lana B. Chao

DECISION

The Proposed Decision dated April 14, 1989
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 Decision suspends or revokes one or more real
estate licenses on grounds of (the conviction of a crime/~~knowingly~~
~~making a false statement of fact required to be revealed on an~~
~~application for license.~~)

The right to reinstatement of a revoked real estate
license or to the reduction of a suspension 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.

This Decision shall become effective at 12 o'clock
noon on June 13, 1989.

IT IS SO ORDERED May 12, 1989.

JAMES A. EDMONDS, JR.
Real Estate Commissioner

By: [Signature]
JOHN R. LIBERATOR
Chief Deputy Commissioner

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)	
of:)	
	) No. H-23563 LA
JEFFERY DEAN WALLIN,)	
	) L-45833
	)
	)
Respondent.)	
_____)	

PROPOSED DECISION

This matter was heard by Rosalyn M. Chapman, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on April 5, 1989. Complainant was represented by James R. Peel, Staff Counsel. Respondent was present at the hearing and represented himself.

Oral and documentary evidence having been received and the matter submitted, the Administrative Law Judge finds as follows:

FINDINGS OF FACT

1. Steven J. Ellis made the Accusation solely in his official capacity as Deputy Real Estate Commissioner of the State of California.

2. On August 16, 1985, the Department of Real Estate of the State of California (hereafter Department) issued real estate salesperson's license number 894688 to Jeffery Dean Wallin (hereafter respondent). Said license is in full force and effect.

3. A. On April 8, 1988, in the Municipal Court of the Alhambra Judicial District, Los Angeles County, California, respondent pleaded nolo contendere to, and was convicted of, violating Penal Code Section 314.1 (indecent exposure), a crime involving moral turpitude per se.

B. Imposition of sentence was suspended and respondent was placed on formal probation for 18 months on certain terms and conditions, including that he serve four days in the county jail, pay a fine and receive counseling.

C. Said crime is substantially related to the duties, qualifications and functions of a real estate salesperson.

4. The facts and circumstances surrounding respondent's conviction are, as follows: On October 28, 1987, respondent, while driving his vehicle, exposed himself to several minor girls, who were standing on the street and whom respondent believed were flirting with him.

5. Respondent asserts that his criminal conduct was the result of severe physical, mental and financial stress he was under at the time. Respondent was in a serious automobile accident on August 3, 1987. As a result of the accident respondent was disabled for almost a year with a herniated disc. Respondent was suffering severe back pain, was unable to physically function as he had in the past, and had lost his job as a real estate salesperson. On the date of the incident, respondent had just begun to again drive an automobile, after being bedridden for several months.

6. Respondent has complied with the conditions of probation: He served three days in the county jail, paid a fine, and received counseling. Respondent received counseling from a marriage, family and child counselor on a monthly basis for approximately six months. He was formally released from counseling on December 27, 1988. Respondent continues on probation.

7. At the time of the incident, although respondent's real estate salesperson's license was in effect, respondent was not, in fact, working as a real estate agent because he was disabled. Respondent returned to his employment as a real agent in July of 1988. Respondent's employing broker is aware of this conviction.

8. Respondent was born November 11, 1960. He attended Mt. San Antonio College, receiving an Associate of Arts degree in 1983. Respondent is remorseful about his conduct. Although the crime of indecent exposure has sexual overtones, the facts and circumstances surrounding it show that respondent was acting in immature, playful manner, rather than in a sexually provocative manner.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

CONCLUSIONS OF LAW

1. Grounds exist to revoke or suspend respondent's license pursuant to Business and Professions Code (BPC) Sections 490 and 10177(b) and Title 10 California Code of Regulations (CCR) Section 2910(5)(a), in that respondent was convicted of a crime involving moral turpitude, which is substantially related to the duties, qualifications and functions of a real estate salesperson, as set forth in Findings 3 and 4 above.

2. Respondent is not yet rehabilitated from the conviction; but the public interest would not be adversely affected by a restricted real estate license being issued to respondent, based on Findings 2 and 5-8 above.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

ORDER

Real estate salesperson's license number 894688 issued to respondent Jeffery D. Wallin is hereby suspended for one (1) year; however, said suspension shall be stayed for two (2) years on the condition that respondent, within ninety (90) days of this Decision, applies for a restricted real estate salesperson's license pursuant to Business and Professions Code (BPC) Section 10156.5 and pays the appropriate fee for said license. A restricted real estate salesperson's license shall then be issued to respondent subject to the provisions of BPC Sections 10156.6 and 10156.7, and the following terms and conditions:

1. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent's conviction of, or plea of nolo contendere to, a crime which bears a substantial relationship to respondent's fitness or capacity to act as a real estate salesperson.

2. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated the provisions of the California Real Estate Law, the Subdivided Lands Law, regulations of the Commissioner, or conditions attached to said restricted license.

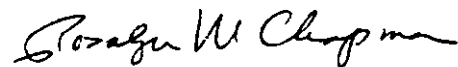
3. Within six (6) months of issuance of the restricted license to him, respondent shall submit evidence satisfactory to the Real Estate Commissioner that he has taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license within the four year period immediately preceding the day on which the evidence of completion is submitted to the Commissioner. If respondent fails to present satisfactory evidence of successful completion of the continuing education courses, the restricted license shall be automatically suspended until such evidence is presented and the Commissioner has given written notice to respondent that the suspension is no longer in effect.

4. Respondent shall obey all laws of the United States, the State of California and its political subdivisions, and all rules and regulations of the Real Estate Commissioner.

5. Respondent shall not be eligible for the issuance of an unrestricted license, nor the removal of any of the conditions, limitations or restrictions of the restricted license, until two (2) years have elapsed from the date of issuance on the restricted license to him.

6. With an application for the restricted license, or for transfer of the restricted license to a new employing broker, respondent shall submit a statement signed by the prospective employing broker on a form printed by the Department certifying that the employing broker has read the Decision which is the basis for the issuance of the restricted license, and that he or she will fully review all transactions and documents prepared by the respondent and otherwise exercise close supervision over the respondent.

DATED: April 14, 1989



ROSALYN M. CHAPMAN
Administrative Law Judge
Office of Administrative Hearings

RMC:btm

Sacto
2/27

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

MAR -7 1989

DEPARTMENT OF REAL ESTATE
BY James B. Deane

In the Matter of the Accusation of

JEFFERY DEAN WALLIN,

} Case No. H-23563 LA

} OAH No. L-45833

Respondent(s)

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____

OFFICE OF ADMINISTRATIVE HEARINGS, 314 West First Street, Los Angeles, CA 90012

on the 5th day of APRIL, 19 89, at the hour of 3:30 p.m., or as soon thereafter
as the matter can be heard, upon the charges made in the Accusation served upon you.

You may be present at the hearing, and you may be represented by counsel, but you are neither required to be present at the hearing nor to be represented by counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you upon any express admissions, or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the hearing officer conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the hearing officer directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: March 7, 1989

By

James R. Peck
Counsel

cc: Jeffery Dean Wallin
Beachside Realtors
Sacto.
OAH
JO

RE 501 (Rev. 7/87)

1 JAMES R. PEEL, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, CA 90012
5 (213) 620-4790

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JAN 24 1969

DEPARTMENT OF REAL ESTATE
BY James B. Cline

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of) NO. H-23563 LA
12 JEFFERY DEAN WALLIN,) A C C U S A T I O N
13)
14)
15 Respondent.)

16 The Complainant, Steven J. Ellis, a Deputy Real Estate
17 Commissioner of the State of California, for cause of accusation
18 against JEFFERY DEAN WALLIN, alleges as follows:

19 I

20 The Complainant, Steven J. Ellis, a Deputy Real Estate
21 Commissioner of the State of California, makes this accusation in
22 his official capacity.

23 II

24 JEFFERY DEAN WALLIN (hereinafter referred to as
25 respondent) is presently licensed and/or has license rights under
26 the Real Estate Law (Part 1 of Division 4 of the Business and
27 Professions Code, hereinafter Code).

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III

At all times herein mentioned, respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson.

IV

On or about April 8, 1988, in the Municipal Court of Alhambra Judicial District, County of Los Angeles, State of California, respondent was convicted of the crime of violating Penal Code Section 314.1 (indecent exposure), a crime involving moral turpitude.

V

The crime of which respondent was convicted bears a substantial relationship to the qualifications, functions or duties of a real estate licensee.

VI

Respondent's criminal conviction is cause under Sections 490 and 10177(b) of the Business and Professions Code for suspension or revocation of all licenses and license rights of respondent under the Real Estate Law.

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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 JEFFERY DEAN WALLIN under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 24th day of January, 1989.


Deputy Real Estate Commissioner

1bo cc: Jeffery Dean Wallin
26 Beachside Realtors
27 Sacto.
JO