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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

JUN-6 1989

DEPARTMENT OF REAL ESTATE
Laura B. Dina

* * * *

In the Matter of the Application of)

No. H- 23615 LA

JONATHAN ALEXANDER PERRY,
aka Jonathan Earl Samuels,

L- 45837

Respondent(s).)

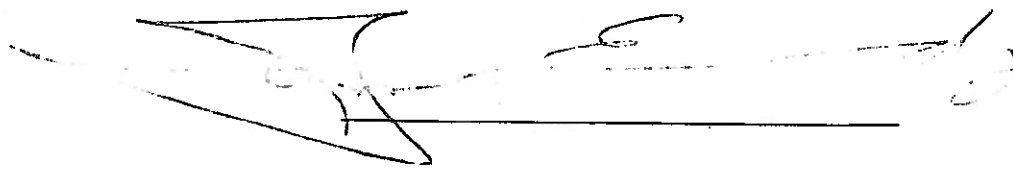
DECISION

The Proposed Decision dated May 12, 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.

This Decision shall become effective at 12 o'clock
noon on June 6, 1989.

IT IS SO ORDERED

6-6-89
JAMES A. EDMONDS, JR.
Real Estate Commissioner



In the Matter of the Application)
of:)
)
)
) No. H-23615 LA
)
JONATHAN ALEXANDER PERRY,)
aka Jonathan Earl Samuels,) L-45837
)
)
)
)
) Respondent.
)
)

This matter came on regularly for hearing before Robert A. Neher, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California on April 14, 1989, at 1:30 p.m. James R. Peel, Counsel, represented the complainant. Respondent appeared in person and represented himself. Documentary and oral evidence was introduced and the matter submitted. The Administrative Law Judge finds the following facts:

On or about August 11, 1988, respondent filed his application for a real estate salesperson's license and said application is presently pending.

On January 30, 1989, the Real Estate Commissioner in conformity with Business and Professions Code Section 10152 filed the within Statement of Issues requiring further proof of the honesty and truthfulness of the respondent in conjunction with respondent's application for licensure.

III

On or about July 23, 1982, in the Municipal Court of Alhambra Judicial District, County of Los Angeles, State of California, respondent was convicted of violating Penal Code Section 470 (forgery), a misdemeanor involving moral turpitude and substantially related to the functions, qualifications, and duties of a Department licensee.

IV

On or about February 24, 1984, in the Municipal Court of Los Angeles Judicial District, County of Los Angeles, State of California, respondent was convicted of violating Penal Code Section 484 (petty theft), a misdemeanor involving moral turpitude and substantially related to the functions, qualifications, and duties of a Department licensee.

V

The facts giving rise to the above convictions are that in May of 1982, respondent's brother found a check which had been endorsed by the payee and he and his brother attempted to cash the check; and in June of 1983, respondent left a school bookstore with a tennis racket he had failed to pay for. In each case he was placed on two year summary probation and paid a fine; on the first conviction he also served four weekends in jail. Respondent completed both probations and more than two years ago each of them was expunged pursuant to Penal Code Section 1203.4.

VI

At the time of the above events, respondent was only 20 and 21 years of age. He will be 28 in October and appears to have turned his life around. Since the occurrence of the conduct respondent has vigorously pursued his college education, and expects to receive his bachelor's degree this summer in Industrial Studies Technology/Aviation Administration. During that same time he has consistently been employed full time and attending school full time, as well. He has worked in positions of increasing responsibility and trust. He is currently employed as an eligibility interviewer for low income housing projects for the City of Los Angeles Housing Authority.

VII

Respondent is forthright and remorseful about his prior conduct, and has no prior or subsequent criminal record. He did well in real estate during the time he had his temporary license and desires to continue in the field to help him support himself in graduate school. He hopes to attend law school after he graduates and in the alternative to seek a Masters Degree in Business Administration. He is single and lives in Ontario, California.

Respondent appears to have rehabilitated himself, and would appear to be unlikely to repeat the sort of conduct set forth in Finding V. His licensure as a real estate salesperson should not endanger the public safety or welfare.

* * * * *

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

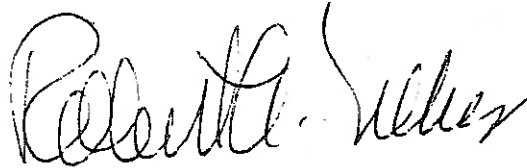
Due consideration having been given to all competent evidence of mitigation and rehabilitation, and the guidelines for determining rehabilitation, cause does not exist pursuant to Business and Professions Code Sections 480 and 10177(b) to deny respondent's application for a real estate salesperson's license, by reason of Findings V, VI, and VII.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The application of respondent Jonathan Alexander Perry, aka Jonathan Earl Samuels, for licensure as a real estate salesperson, now pending is hereby granted subject to his fulfilling all other conditions for licensure required by law.

DATED: May 29



ROBERT A. NEHER
Administrative Law Judge
Office of Administrative Hearings

RAN:btm

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

JAN 30 1989

DEPARTMENT OF REAL ESTATE

BY Laura B. Crona

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

11 In the Matter of the Application of)
12 JONATHAN ALEXANDER PERRY)
13 aka Jonathan Earl Samuels,)
14)
15)
16 Respondent.)

NO. H-23615 LA

STATEMENT OF ISSUES

17 The Real Estate Commissioner, in conformity with Section
18 10152, Division 4, Business and Professions Code of the State of
19 California, requires further proof of the honesty and truthfulness
20 of JONATHAN ALEXANDER PERRY aka Jonathan Earl Samuels (hereinafter
21 referred to as respondent), in connection with respondent's
22 application for a real estate salesperson license, filed on
23 August 11, 1988, and in relation thereto, will consider the
24 following:

I

26 On or about July 23, 1982, in the Municipal Court of Alhambra
27 Judicial District, County of Los Angeles, State of California,

1 respondent was convicted of violating Penal Code Section 470
2 (forgery), a crime involving moral turpitude.

3 II

4 On or about February 24, 1984, in the Municipal Court of Los
5 Angeles Judicial District, County of Los Angeles, State of
6 California, respondent was convicted of violating Penal Code
7 Section 484 (petty theft), a crime involving moral turpitude.

8 III

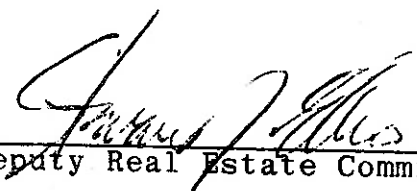
9 The crimes of which respondent was convicted bear a
10 substantial relationship to the qualifications, functions or
11 duties of a real estate licensee.

12 IV

13 Respondent's convictions, as alleged above, are grounds for
14 denying respondent's application for a real estate license under
15 Sections 480 and 10177(b) of the Business and Professions Code of
16 the State of California.

17
18 These proceedings are brought under the provisions of Section
19 10100, Division 4 of the Business and Professions Code of the
20 State of California and Sections 11500 through 11528 of the
21 Government Code.

22 Dated at Los Angeles, California
23 this 30th day of January, 1989.

24
25 
Deputy Real Estate Commissioner

1bo 26 cc: Jonathan Alexander Perry
27 Centennial Realtors
Sacto.
LK