

FILED
DEC 23 1996
DEPARTMENT OF REAL ESTATE

By

[Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) No. H-24763 LA
)
)
LINDA JEAN KEY)
)
Respondent.)
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)
)

ORDER DENYING REINSTATEMENT OF LICENSE

On April 13, 1992, a Decision was rendered herein
revoking the real estate salesperson license of LINDA JEAN KEY
(hereinafter referred to as Respondent), effective June 5, 1992.

On October 21, 1993, Respondent petitioned for
reinstatement of said real estate salesperson license and, in an
Order dated July 6, 1994, effective August 2, 1994, she was
given the right to apply for and receive a restricted real
estate salesperson license. Said restricted license was issued
on September 27, 1994.

On September 27, 1995, Respondent petitioned for
reinstatement of said real estate salesperson license and the

1 Attorney General of the State of California has been given
2 notice of the filing of said Petition.

3 I have considered the petition of Respondent and the
4 evidence submitted in support thereof. Respondent has failed to
5 demonstrate to my satisfaction that she has undergone sufficient
6 rehabilitation to warrant the reinstatement of her real estate
7 salesperson license at this time. This determination has been
8 made in light of Respondent's history of acts and conduct which
9 are substantially related to the qualifications, functions and
10 duties of a real estate licensee. That history includes:

11 I

12 On October 1, 1984, respondent was convicted of
13 violating Section 484(a) of the California Penal Code (Petty
14 Theft). As a result of this conviction respondent's license as a
15 real estate salesperson was first revoked in Case No. H-22151
16 LA. This license was reinstated in an Order dated July 24, 1987.

17 II

18 On August 20, 1991, another Accusation, H-24763 LA,
19 was filed against respondent based upon her June 8, 1990,
20 conviction of two counts of violating Section 496(1) of the
21 Penal Code (Receiving Stolen Property, credit card and
22 identification documents). ~~As a result of this Accusation~~
23 respondent's license was again revoked.
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III

In her interview with a Deputy Real Estate Commissioner on October 23, 1996, respondent revealed still another conviction prior to 1979 in the State of Georgia where she was convicted for allowing customers to take goods out of a store without paying.

IV

Considering the long history of respondent's criminal behaviour not enough time has passed to justify the issuance of an unrestricted license to respondent as I am not fully convinced of her complete rehabilitation at this time. This is reason for denial of her most recent petition pursuant to Section 2911(a) of Chapter 6, Title 10, California Code of Regulations (Regulations).

V

When two of respondent's previous employers were contacted for verification of employment each stated that respondent would not be hired and one described respondent's honesty "as questionable" citing her failure to reveal material facts to her clients. This is further evidence of a lack of rehabilitation and is further cause to deny her petition pursuant to Section 2911(j) of the Regulations.

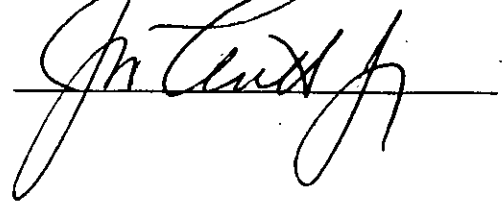


1 NOW, THEREFORE, IT IS ORDERED that Respondent's
2 petition for reinstatement of license is denied.

3 This Order shall become effective at 12 o'clock
4 noon on January 13, 1997

5
6 DATED; 12/17/96

7
8 JIM ANTT JR.
9 Real Estate Commissioner

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15 Linda Jean Key
16 1836 Cloverdale Ave.
17 Los Angeles, California 90019
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By Laura B. Orna

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) NO. H-24763 LA
LINDA JEAN KEY)
Respondent.)

ORDER DENYING REINSTATEMENT OF LICENSE

On April 13, 1992, a Decision was rendered herein revoking the real estate salesperson license of Respondent, LINDA JEAN KEY (hereinafter "Respondent"), effective June 5, 1992.

On October 21, 1993, 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.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that she has undergone sufficient rehabilitation to warrant the reinstatement of her real estate salesperson license at this

1 time. This determination has been made in light of
2 Respondent's history of acts and conduct which are
3 substantially related to the qualifications, functions and
4 duties of a real estate licensee. That history includes:

5 I

6
7 On February 26, 1985, an Accusation, H-22151 LA was
8 filed against Respondent based upon her October 1, 1984,
9 conviction in South Bay Municipal Court of one count of
10 violating Section 484(a) of the California Penal Code (Petty
11 Theft). As a result of the decision in this matter
12 Respondent's license was revoked but later reinstated in an
13 order dated July 24, 1987.

14 II

15 On August 20, 1991, another Accusation, H-24763 LA,
16 was filed against Respondent based upon her June 8, 1990,
17 conviction in the South Bay Municipal Court of two counts of
18 violating Section 496(1) of the California Penal Code
19 (Receiving Stolen Property, credit card and identification
20 documents). As a result of this Accusation Respondent's
21 license was again revoked.

22 III

23 Considering the history of Respondent not enough
24 time has passed to justify the issuance of an unrestricted
25 license to Respondent as I am not convinced of her complete
26 rehabilitation at this time. See Section 2911(a) of Chapter
27 6, Title 10, California Code of Regulations.

1 Nevertheless, it appears that Respondent will pose
2 no danger to the public if issued a properly restricted
3 license.

4
5 NOW, THEREFORE, IT IS ORDERED that Respondent's
6 petition for reinstatement of license is denied.

7
8 However, a restricted real estate salesperson
9 license shall be issued to Respondent pursuant to Section
10 10156.5 of the Code after Respondent satisfies the following
11 conditions within one (1) year from the date of this Order:

12 1. Submittal of evidence satisfactory to the Real
13 Estate Commissioner that Respondent has, since June 5, 1992,
14 taken and successfully completed the continuing education
15 requirements of Article 2.5 of Chapter 3 of the Real Estate
16 Law for renewal of a real estate license.

17 2. Submittal of a completed application and payment
18 of the fee for a (restricted) real estate salesperson
19 license.

20 The restricted license issued to Respondent shall
21 be subject to all of the provisions of Section 10156.7 of the
22 Code and to the following limitations, conditions and
23 restrictions imposed under authority of Section 10156.5 of
24 said Code:

25 1. The restricted license shall not confer any
26 property right in the privileges to be exercised thereunder
27 and the Real Estate Commissioner may by appropriate order
suspend prior to hearing the right of Respondent to exercise

1 any privileges granted under the restricted license in the
2 event of:

3 (a) The conviction of Respondent (including a plea
4 of nolo contendere) of a crime which bears a significant
5 relationship to Respondent's fitness or capacity as a real
6 estate licensee.

7 (b) The receipt of evidence satisfactory to the
8 Real Estate Commissioner that subsequent to the date of the
9 Order herein Respondent has violated provisions of the
10 California Real Estate Law, Regulations of the Real Estate
11 Commissioner, or conditions attaching to said restricted
12 license.

13 2. Respondent shall submit with her application for
14 said restricted license under an employing broker or any
15 application in the future for a transfer of said restricted
16 license to a new employing broker, a statement signed by the
17 prospective employing broker which shall certify:

18 (a) That said employing broker has read the Order
19 of the Commissioner which granted the right to a restricted
20 license; and

21 (b) That said employing broker will exercise close
22 supervision over the performance of the restricted license of
23 activities for which a real estate license is required.

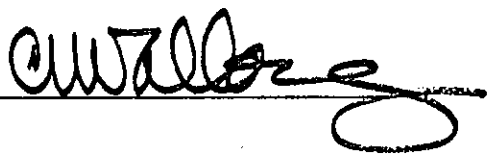
24 Respondent shall not be eligible to apply for the
25 issuance of an unrestricted real estate license nor the
26 removal of any of the conditions, limitations or restrictions
27 attaching to the restricted license until at least one year
has elapsed from the effective date of this Order.

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This Order shall become effective at 12
o'clock noon on August 2, 1994.

DATED: 7/6/94

CLARK WALLACE
Real Estate Commissioner



LINDA JEAN KEY
1836 Cloverdale Ave.
Los Angeles, California 90019

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FILED

MAY-6 1992

DEPARTMENT OF REAL ESTATE
BY C. Bergman

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-24763 LA
LINDA JEAN KEY, etc.,)	L-55203
Respondent.)	

ORDER STAYING EFFECTIVE DATE

On April 13, 1992, a Decision was rendered in the above-entitled matter to become effective May 6, 1992.

IT IS HEREBY ORDERED that the effective date of the Decision of April 13, 1992, is stayed for a period of 30 days.

The Decision of April 13, 1992, shall become effective at 12 o'clock noon on June 5, 1992.

DATED: May 6, 1992

CLARK WALLACE
Real Estate Commissioner

By: *Randolph Brendia*
RANDOLPH BRENDIA
Regional Manager

FILED

APR 16 1992

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

BY C. Berg

* * * *

In the Matter of the Accusation of)
LINDA JEAN KEY, aka)
Linda Jean Roberts,)
Linda Key Roberts, and)
Linda Roberts,)
Respondent.)

No. H- 24763 LA

L- 55203

DECISION

The Proposed Decision dated April 2, 1992 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.

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 May 6, 1992.

IT IS SO ORDERED

CLARK WALLACE
Real Estate Commissioner

CLW

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)

LINDA JEAN KEY, also known as)
Linda Jean Roberts, Linda Key)
Roberts, and Linda Roberts)

Respondent.)

No. H-24763 LA

OAH. L-55203

PROPOSED DECISION

This matter came on regularly for hearing before Leslie H. Greenfield, Administrative Law Judge, Office of Administrative Hearings, on March 30, 1992 at Los Angeles, California.

James L. Beaver, Counsel, represented the complainant. Respondent was present throughout the hearing and represented herself.

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

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

2. Respondent Linda Jean Key was originally licensed as a real estate salesperson on February 17, 1984, under the name Linda Key Roberts. On September 10, 1985, said license was revoked. On July 24, 1987, the Department granted reinstatement of said license. On December 3, 1987, the license was re-issued to Linda J. Key under license number 00860489, which expires December 2, 1995.

3. A. On June 8, 1990, in the Municipal Court of the South Bay Judicial District, County of Los Angeles, State of California, respondent was convicted on her plea of guilty to two counts of violating Penal Code Section 496(1) (receiving

stolen property), misdemeanors involving moral turpitude and substantially related to the duties, qualifications or functions of a real estate salesperson.

B. Imposition of sentence was suspended and respondent was placed on summary probation for 2 year subject to certain terms and conditions including a fine. On April 25, 1991, respondent's probation was terminated. On May 1, 1991, respondent's petition pursuant to Penal Code Section 1203.4 was denied.

C. The facts and circumstances surrounding the conviction were that respondent was found in the possession of stolen property of another.

4. No credible evidence of rehabilitation or mitigation was presented. Rather, respondent continues to deny the commission of the crimes, and thus remains a danger to the public.

5. On September 10, 1985, respondent's license was suspended by reason of respondent's conviction of a prior crime involving moral turpitude and which bears a substantial relationship to the qualifications, functions and duties of a real estate licensee.

* * * * *

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

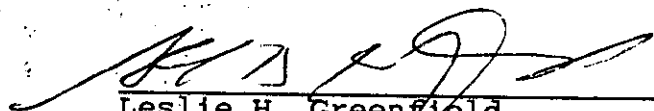
1. Grounds exist to revoke or suspend respondent's license pursuant to Business and Professions Code Sections 490 and 10177(b), based on Finding 3.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

Real Estate License no. 00860498 issued to respondent Linda J. Key, aka Linda Jean Roberts, Linda Key Roberts, and Linda Roberts, is revoked.

Dated: April 2, 1992


Leslie H. Greenfield
Administrative Law Judge
Office of Administrative Hearings

LHG:me

SAC

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED

OCT 28 1991

DEPARTMENT OF REAL ESTATE

BY C. Beam

In the Matter of the Accusation of

LINDA JEAN KEY, etc.,

Case No. H-24763 LA

OAH No. L-55203

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 W. First Street, Los Angeles, CA 90012

on the 30th day of March, 1992, at the hour of 9:00 a.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

By

James L. Beaver
JAMES L. BEAVER, Counsel

Dated: October 28, 1991

cc: Linda Jean Key
Frederick Vincent Gasparini
✓ Sacto.
OAH
LU

1 James L. Beaver, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California, 90012
5
6
7
8 (213) 620-4790

8/20/91

Beaver

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

11 In the Matter of the Accusation of) H-24763 LA
12)
13 LINDA JEAN KEY, also known as) A C C U S A T I O N
14 Linda Jean Roberts, Linda Key)
15 Roberts, and Linda Roberts,)
16 Respondent.)
17)

18 The Complainant, STEVEN J. ELLIS, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against LINDA JEAN KEY, also known as Linda Jean Roberts, Linda
21 Key Roberts and Linda Roberts (hereinafter "Respondent"), is
22 informed and alleges as follows:

I

23 Respondent is presently licensed and/or has license
24 rights under the Real Estate Law, Part 1 of Division 4 of the
25 Business and Professions Code (hereinafter the Code).

II

26 The Complainant, STEVEN J. ELLIS, makes this Accusation
27 against Respondent in his official capacity.

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III

On or about April 24, 1990, in the Municipal Court, South Bay Judicial District, County of Los Angeles, State of California, Respondent was convicted of two counts of violating Penal Code Section 496(1), RECEIVING STOLEN PROPERTY, specified as misdemeanors, crimes involving moral turpitude which bear a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

IV

The crimes of which respondent was convicted, as described in Paragraph III, above, constitute cause under Sections 490 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

PRIOR DISCIPLINE

V

On or about October 1, 1984, in the Municipal Court, South Bay Judicial District, County of Los Angeles, State of California, Respondent was convicted of violating Penal Code Section 484(a), PETTY THEFT, a misdemeanor and a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

VI

On or about August 14, 1985, a Decision was entered in Case No. H-22151 LA then pending before the Department of Real

1 Estate of the State of California revoking all real estate
2 licenses and license rights of Respondent pursuant to the
3 provisions of Sections 480 and 10177(b) of the Code on grounds of
4 the conviction described in Paragraph V, above.

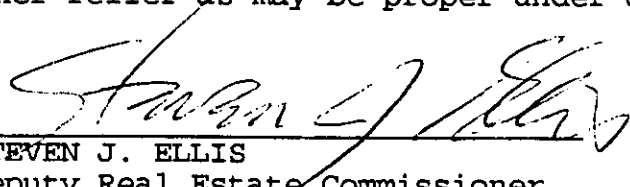
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7 On or about July 24, 1987, an order was entered in said
8 Case No. H-22151 LA granting Respondent's petition for
9 reinstatement of Respondent's license as a real estate
10 salesperson.

11 VI

12 At all times mentioned herein since December 30, 1987,
13 Respondent has been and now is licensed as a real estate
14 salesperson.

15 WHEREFORE, Complainant prays that a hearing be conducted
16 on the allegations of this Accusation and that upon proof thereof,
17 a decision be rendered imposing disciplinary action against all
18 licenses and license rights of Respondent under the Real Estate
19 Law (Part 1 of Division 4 of the Business and Professions Code),
20 and for such other and further relief as may be proper under other
21 provisions of law.

22 
STEVEN J. ELLIS
23 Deputy Real Estate Commissioner

24 Dated at Los Angeles, California
25 this 20th day of August, 1991.

26 cc: Linda Jean Key
27 Frederick Vincent Gasparini
Sacto.
LU