

FILED
JUL 17 1996
DEPARTMENT OF REAL ESTATE

By KJ Mederhoff

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DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) NO. H-25258 LA
))
 JORGE LUIS MEDINA))
))
 Respondent.))
_____)

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 17, 1993, a Decision was rendered herein revoking the real estate broker license of Respondent, JORGE LUIS MEDINA (hereinafter "Respondent"), effective June 8, 1993. In said Decision Respondent was given the right to apply for and receive a restricted real estate broker license which was issued to him on June 7, 1993.

On March 20, 1995, Respondent petitioned for reinstatement of said real estate broker license and the Attorney General of the State of California has been given notice of the filing of said petition.

I have considered Respondent's petition and the evidence and arguments in support thereof. Respondent has demonstrated to my satisfaction that grounds do not presently

1 exist to deny the issuance of an unrestricted real estate
2 broker license to Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's
4 petition for reinstatement is granted and that an
5 unrestricted real estate broker license be issued to
6 Respondent, JORGE LUIS MEDINA, after Respondent satisfies the
7 following conditions within one (1) year from the date of
8 this Order:

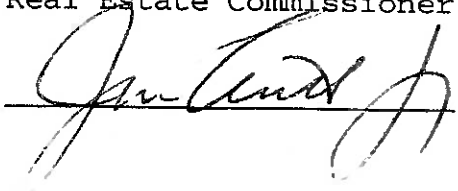
9 1. Submittal of a completed application and
10 payment of the fee for a real estate broker license.

11 2. Submittal of evidence satisfactory to the Real
12 Estate Commissioner that Respondent has, since his present
13 restricted license was issued, taken and successfully
14 completed the continuing education requirements of Article
15 2.5 of Chapter 3 of the Real Estate Law for renewal of a real
16 estate license including three hour courses in trust fund
17 accounting and handling and fair housing.

18 This Order shall become effective immediately.

19 DATED: 7-11-96.

21 JIM ANTT, JR.
22 Real Estate Commissioner



25 JORGE LUIS MEDINA
26 527 Avenue F
27 Redondo Beach, California 90277

1 Department of Real Estate
2 107 South Broadway, Room 8107
3 Los Angeles, California 90012

4 (213) 897-3937

MAY 19 1993

DEPARTMENT OF REAL ESTATE

BY C. Berry

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Accusation of) No. H-25258 LA
12)
13 JORGE LUIS MEDINA,)
14 aka Jorge L. Medina,) STIPULATION AND AGREEMENT
15 Respondent.) IN SETTLEMENT AND ORDER

16 It is hereby stipulated by and between Respondent JORGE
17 LUIS MEDINA, aka Jorge L. Medina, (sometimes referred to herein
18 as "Respondent") and the Complainant acting by and through
19 Darlene Averetta, Counsel for the Department of Real Estate, as
20 follows for the purpose of settling and disposing of the
21 Accusation filed on December 22, 1992, in this matter (hereinafter
22 "the Accusation"):

23 1. All issues which were to be contested and all
24 evidence which was to be presented by Complainant and Respondent
25 at a formal hearing on the Accusation, which hearing was to be
26 held in accordance with the provisions of the Administrative
27 Procedure Act (APA), shall instead and in place thereof be

1 submitted solely on the basis of the provisions of this
2 Stipulation and Agreement.

3 2. Respondent has received, read and understands the
4 Statement to Respondent, the Discovery Provisions of the APA and
5 the Accusation filed by the Department of Real Estate in this
6 proceeding.

7 3. On January 4, 1993, Respondent filed a Notice of
8 Defense pursuant to Section 11505 of the Government Code for the
9 purpose of requesting a hearing on the allegations in the
10 Accusation. Respondent hereby freely and voluntarily withdraws
11 said Notice of Defense. Respondent acknowledges that he
12 understands that by withdrawing said Notice of Defense, Respondent
13 will thereby waive Respondent's right to require the Commissioner
14 to prove the allegations in the Accusation at a contested hearing
15 held in accordance with the provisions of the APA and that
16 Respondent will waive other rights afforded to Respondent in
17 connection with the hearing such as the right to present evidence
18 in defense of the allegations in the Accusation and the right to
19 cross-examine witnesses.

20 4. Respondent, pursuant to the limitations set forth
21 below, hereby admits that the factual allegations of the
22 Accusation filed in this proceeding are true and correct and that
23 the Real Estate Commissioner shall not be required to provide
24 further evidence of such allegations.

25 5. It is understood by the parties that the Real
26 Estate Commissioner may adopt the Stipulation and Agreement in
27 Settlement and Order as his decision in this matter thereby

1 imposing the penalty and sanctions on Respondent's real estate
2 license and license rights as set forth in the "Order" below. In
3 the event that the Commissioner in his discretion does not adopt
4 the Stipulation and Agreement in Settlement and Order, the
5 Stipulation and Agreement in Settlement and Order shall be void
6 and of no effect, and Respondent shall retain the right to a
7 hearing and proceeding on the Accusation under all the provisions
8 of the APA and shall not be bound by any admission or waiver made
9 herein.

10 6. The Order or any subsequent Order of the Real
11 Estate Commissioner made pursuant to this Stipulation shall not
12 constitute an estoppel, merger or bar to any further
13 administrative or civil proceedings by the Department of Real
14 Estate with respect to any matters which were not specifically
15 alleged to be causes for accusation in this proceeding.

16 DETERMINATION OF ISSUES

17 By reason of the foregoing stipulations, admissions and
18 waivers and solely for the purpose of settlement of the pending
19 Accusation without a hearing, it is stipulated and agreed that the
20 following Determination of Issues shall be made:

21 I

22 The crime of which Respondent was convicted, as set
23 forth in Paragraph IV of the Accusation, constitutes cause under
24 Sections 490 and 10177(b) of the Business and Professions Code for
25 suspension or revocation of the license and license rights of
26 Respondent under the Real Estate Law.

27 /

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

1. The real estate broker license and license rights of Respondent JORGE LUIS MEDINA, aka Jorge L. Medina, under the provisions of Part 1 of Division 4 of the Business and Professions Code are hereby revoked.

2. A restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if, within 90 days after the effective date of the Decision entered herein, said Respondent makes application for said license and pays to the Department of Real Estate the appropriate fee for said license.

3. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of the Business and Professions Code:


(a) Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the restrictions, conditions or limitations set forth herein, attaching to the restricted license, until one (1) year has elapsed from the effective date of any Decision in this matter.

(b) The license shall not confer any property right in the privileges to be exercised thereunder and the restricted license may be suspended, thereby suspending the right of Respondent to exercise any privileges granted under the

1 restricted license, prior to a hearing by appropriate Order of the
2 Real Estate Commissioner, in the event of Respondent's conviction
3 or plea of nolo contendere to a crime which bears a substantial
4 relationship to Respondent's fitness or capacity as a real estate
5 licensee, or upon receipt of evidence satisfactory to the Real
6 Estate Commissioner that Respondent has violated provisions of the
7 Real Estate Law of the State of California, the Subdivided Lands
8 Act, the Regulations of the Real Estate Commissioner of the State
9 of California, or any of the conditions attached to the restricted
10 license.

11 (c) Respondent shall, within twelve (12) months
12 from the effective date of this Decision, present evidence
13 satisfactory to the Real Estate Commissioner that Respondent has,
14 since the most recent issuance of an original or renewal real
15 estate license, taken and successfully completed the continuing
16 education requirements of Article 2.5 of Chapter 3 of the Real
17 Estate Law for renewal of a real estate license. If Respondent
18 fails to satisfy this condition, the Commissioner may order the
19 suspension of the restricted license until the Respondent presents
20 such evidence. The Commissioner shall afford Respondent the
21 opportunity for a hearing pursuant to the Administrative Procedure
22 Act to present evidence.

23
24 DATED: 4-22-93



DARLENE AVERETTA
COUNSEL for Complainant

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* * * * *

I have read the Stipulation and Agreement in Settlement and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

DATED: APRIL-20-1993

George Luis Medina
JORGE LUIS MEDINA
Respondent

DATED: April 19, 1993

John P. Martin
JOHN P. MARTIN
Respondent's Counsel

* * * * *

The foregoing Stipulation and Agreement in Settlement is hereby adopted as my Decision and Order and shall become effective at 12 o'clock noon on June 8, 1993.

IT IS SO ORDERED May 17, 1993.

CLARK WALLACE
Real Estate Commissioner

John R. Liberator

BY: **John R. Liberator**
Chief Deputy Commissioner

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DARLENE AVERETTA
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

DEC 22 1992

DEPARTMENT OF REAL ESTATE
[Signature]

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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|--------------------------------------|----------------------------|
| In the Matter of the Accusation of) | No. H-25258 LA |
| JORGE LUIS MEDINA,) | <u>A C C U S A T I O N</u> |
| aka Jorge L. Medina,) | |
|) | |
| Respondent.) | |

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against JORGE LUIS MEDINA, aka Jorge L. Medina (hereinafter Respondent), alleges as follows:

I

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

II

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the

/

1 California Business and Professions Code (hereinafter the Code) as
2 a real estate broker.

3 III

4 Respondent was originally licensed by the Department of
5 Real Estate of the State of California (Department) as a real
6 estate broker on April 16, 1991.

7 IV

8 On or about December 19, 1991, in the United States
9 District Court for the Central District of California, Respondent
10 was convicted on his plea of guilty of one count of violating
11 Section 1014 of Title 18 of the United States Code (False Statement
12 to Lending Institution), a felony and a crime involving moral
13 turpitude which bears a substantial relationship under Section
14 2910, Title 10, California Code of Regulations, to the
15 qualifications, functions or duties of a real estate licensee.

16 V

17 The crime of which Respondent was convicted, as described
18 in Paragraph IV, above, constitutes cause under Sections 490 and
19 10177(b) of the Code for the suspension or revocation of all
20 licenses and license rights of Respondent under the Real Estate
21 Law.

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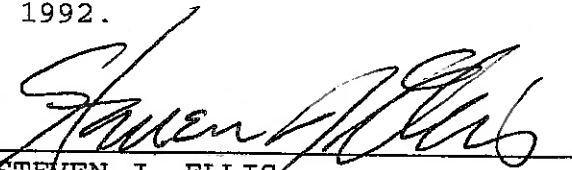
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent JORGE LUIS MEDINA, aka Jorge L. Medina, 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 22nd day of December, 1992.


STEVEN J. ELLIS
Deputy Real Estate Commissioner

cc: Jorge Luis Medina
Sacto.
CV