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FILED
JUN 13 2001
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-25910 LA
YOKE K. CHIN,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 21, 1995, a Decision was rendered herein
revoking the real estate salesperson license of Respondent.

On March 6, 2001, 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 and arguments in support thereof. Respondent
has demonstrated to my satisfaction that Respondent meets
the requirements of law for the issuance to Respondent of an
unrestricted real estate salesperson license and that it would
not be against the public interest to issue said license to

1 Respondent YOKE K. CHIN.

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

7
8 1. Submittal of a completed application and payment
9 of the fee for a real estate salesperson license.

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

15 This Order shall be effective immediately.

16 Dated: June 5, 2001

17 PAULA REDDISH ZINNEBANN
18 Real Estate Commissioner
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cc: Yoke K. Chin
17502 Mondino Drive
Rowland Heights, CA 91748

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Laura B. Orme

* * * * *

In the Matter of the Accusation of)	No. H-25910 LA
)	
YOKE K. CHIN,) L-9411152
)	
)	
Respondent.)	
_____)	

DECISION

The Proposed Decision dated April 7, 1995, 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 knowingly making a false statement of fact required to be revealed in 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 May 18, 1995.

IT IS SO ORDERED April 21, 1995

JOHN R. LIBERATOR
Interim Commissioner

John R. Liberator

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation
of:

YOKE K. CHIN,

Respondent.

) Case No. H-25910 LA
)
)
) OAH No. L-9411152
)
)
)

PROPOSED DECISION

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 March 10, 1995, at 9:00 a.m. v. Ahda Sands, Counsel, represented the complainant. Respondent personally appeared and represented himself. Documentary and oral evidence was introduced, the matter argued and submitted. The Administrative Law Judge finds the following facts:

I

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

II

On or about September 21, 1993, respondent Yoke K. Chin filed an application for license with the Department of Real Estate of the State of California as a real estate salesperson. Said license was issued on October 14, 1993.

III

On November 1, 1990, in the Municipal Court, North Orange County Judicial District, County of Orange, respondent was convicted upon his guilty plea of violating section 470 of the Penal Code (forgery, use of credit card) a misdemeanor involving moral turpitude and substantially related to the functions qualifications and duties of a Department licensee.

IV

The facts giving rise to said conviction are that respondent found a credit card and went on a \$5,000 shopping spree at Nordstrom's.

He was placed on probation for three (3) years subject to various terms and conditions, including a fine of \$400 and 240 hours of community service. Respondent completed his probation.

V

In his application for licensure, in answer to the question in paragraph 25, to wit:

"Have you ever been convicted of any violation of law? (You may omit any traffic violation where the disposition was a fine and the amount was \$100 or less)"

Respondent answered "No". Said answer was false and misleading and known by respondent to be false and misleading; and was made in order to induce the Department to issue him a license.

VI

Respondent has been employed by RE-MAX in the sale of residential properties. He is thirty five years of age and has no prior or subsequent criminal record. His broker believes that he is honest now, though until these proceedings respondent had not told him of the conviction either. Though respondent has obviously made strides in rehabilitation, due to his obtaining licenses by deceit, it cannot be said that with due regard to the public interest he is sufficiently rehabilitated, at this time, to justify the public trust.

VII

Except as hereinabove found to be true, all other allegations of the Accusation or assertions of the parties are found to be unproved or surplusage.

* * * * *

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

I

Cause for disciplinary action against the real estate salesperson's license of respondent Yoke K. Chin exists under the provisions of sections 490 and 10177(a) of the Business and Professions Code, by reason of Finding V.

II

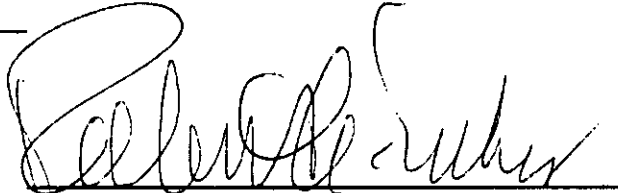
Due consideration has been given to all competent credible evidence of mitigation and rehabilitation.

* * * * *

WHEREFORE THE FOLLOWING ORDER is hereby made:

The real estate salesperson's license heretofore issued to Yoke K. Chin, by the Department of Real Estate, is hereby revoked.

Dated: 9 Apr 95



ROBERT A. NEHER
Administrative Law Judge
Office of Administrative Hearings

RAN:rfm

Sacto
Yoke

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

FILE
DEC - 5 1994
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of) Case No. H-25910 LA
YOKE K. CHIN,) OAH No. L-11152
Respondent.)

By Laura B. Sands

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

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, California, on MARCH 10, 1995 at the hour of 9:00 a.m. or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission 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 Administrative Law Judge 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 Administrative Law Judge directs otherwise.

Dated: December 5, 1994

DEPARTMENT OF REAL ESTATE

By: V. Ahda Sands
V. AHDA SANDS, Counsel

cc: Yoke K. Chin
Paul Cruz Tecson
Sacto.
OAH

RE 501 (Mac 8/92lbo)

1 V. AHDA SANDS, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012
5 (213) 897-3937

FILED
JUL 29 1994
DEPARTMENT OF REAL ESTATE

By Samia B. Oron

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 In the Matter of the Accusation of) No. H-25910 LA
12 YOKE K. CHIN,) A C C U S A T I O N
13 Respondent.)

15 The Complainant, Steven J. Ellis, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 accusation against YOKE K. CHIN, (respondent) alleges as
18 follows:

19 1

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

23 2

24 Respondent is presently licensed and/or has license
25 rights under the Real Estate Law (Part 1 of Division 4 of the
26 California Business and Professions Code) (Code) as a real
27 estate salesperson.

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In order to induce reliance, respondent represented in his application for real estate license that he had no prior criminal convictions.

In reliance upon the representations of respondent described above, respondent was originally licensed by the Department of Real Estate of State of California (Department) as a conditional real estate salesperson on October 14, 1993, subject to the provisions of Section 10153.4 of the Code.

Respondent's representations described in Paragraph 3, were false or misleading when made or were made by respondent with no reasonable grounds for believing said representations to be true. In truth and in fact, respondent had previously been convicted of a criminal offense.

Respondent failed to disclose to the Department of Real Estate of the State of California that on or about November 1, 1990, in the State of California Municipal Court, Orange Judicial District, County of Orange, respondent was convicted upon a guilty plea of violating one count of Section 470 of the Penal Code (forgery used of credit cards totaling \$5,554.82 at Nordstrom's Department Store).

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The misrepresentations of Respondent as alleged above constitutes cause for suspension or revocation of Respondent's license under Sections 498 and 10177(a) of the California Business and Professions Code.

8

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 the license and license rights of respondent YOKE K. CHIN, under the Real Estate Law and for such other further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 29th day of July, 1994.

STEVEN J. ELLIS
Deputy Real Estate Commissioner

cc: Yöke K. Chin
Paul Cruz Tecson
Sacto.
cgt
vas