

1 I have considered the petition of Respondent and the
2 evidence and arguments in support thereof including Respondent's
3 record as a restricted licensee. Respondent has demonstrated to
4 my satisfaction that Respondent meets the requirements of law for
5 the issuance to Respondent of an unrestricted real estate broker
6 license and that it would not be against the public interest to
7 issue said license to Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's petition
9 for reinstatement is granted and that a real estate broker license
10 be issued to Respondent if Respondent satisfies the following
11 conditions within nine months from the date of this Order:

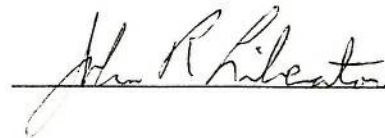
12 1. Submittal of a completed application and payment of
13 the fee for a real estate broker license.

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

19 This Order shall be effective immediately.

20 DATED: December 22, 1998

21 JIM ANTT, JR.
22 Real Estate Commissioner

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

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation) No. H-26184
against:)
) L-9506291
AURORA ANG LO,)
)
Respondent.)
_____)

PROPOSED DECISION

This matter came on regularly to be heard before Paul M. Hogan, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California on August 24, 1995.

Complainant was represented by James R. Peel, Counsel, V. Ahda Sands, Counsel, appearing. Aurora Ang Lo, respondent, appeared personally without counsel.

Evidence, both oral and documentary, was presented, and the matter was submitted for decision. The Administrative Law Judge makes his findings of fact, determinations of issues, and renders his proposed decision as follows:

Findings of Fact

1. Complainant, Peter F. Hurst, is a Deputy Real Estate Commissioner of the State of California, and filed the accusation herein solely in his official capacity.

2. At all times hereinmentioned, respondent was and is a licensed real estate broker.

3. Respondent was convicted on her plea of no contest to a charge of shoplifting. She was found to have violated Section 484/488 of the Penal Code, and was placed on probation for one year on condition she pay fines and assessments in the sum of \$135. and obey all laws. The offense occurred in the San Jose area in or about April of 1994, and the probationary term has now expired.

4. Respondent was apprehended outside a store with a briefcase and some batteries belonging to the store for which she had not paid. She claims she has no idea why she did this; she had \$150. in cash in her purse at the time. On her own initiative, respondent underwent two weeks of psychotherapy, which she terminated when she moved from San Jose to Walnut to follow her husband in his employment.

5. The crime of which respondent was convicted involves moral turpitude and is substantially related to the duties, function and qualifications of a real estate licensee.

6.. Respondent is a 45 year old lady, married to an electrical engineer who is employed in the computer software business. They have two children, ages 8 and 1/2 and 11. Respondent earned her B.A. at the University of Santo Tomas in Manila. She has earned Master's degrees in Library Science from the University of Western Ontario in 1976, and in Computer Science from the University of New Haven in 1981. She has completed the course work for a Master's in Sociology from the University of Ypsilanti, but has yet to present her thesis.

7. Since obtaining her first real estate license in 1988, respondent has been very active in real estate. She has closed at least two large commercial transactions, both in seven figures, and has been heavily involved in property management for her overseas clients. She has had no complaints, and there have been no law suits.

8. Respondent is very remorseful and ashamed of this conviction. She has not been able to tell her husband of it. As previously noted, respondent had started a program of psychotherapy in Los Gatos which she terminated when she moved to Walnut to be with her husband, while he attempted to start a new business. This has not been successful, and the family plans to return to the San Jose area.

9. Respondent appears to be a responsible, stable, middle-class lady who has done something that she thinks, and which does appear to be, wholly out-of-character. She is articulate, intelligent, well-educated, fluent in English, and appears able to succeed in any venture she determines to try. Her attitude appears eminently responsible; her history as a volunteer in hospital and church activities tends to bear this out.

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Determination of Issues

By reason of the foregoing findings, it is determined that cause exists for discipline of respondent's broker's license pursuant to Sections 490 and 10177(b) of the Business and Professions Code, however, in light of respondent's substantial progress toward rehabilitation, it is determined that the public interest will be protected by issuance of a restricted license in accordance with the provisions of Section 10156.6 of said Code.

Order

All licenses and licensing rights of respondent Aurora Ang Lo under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to respondent pursuant to section 10156.5 of the Business and Professions Code if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. 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 that Code:

1. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which is substantially related to respondent's fitness or capacity as a real estate licensee.
2. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until one year has elapsed from the effective date of this Decision.
4. Respondent shall, within nine months from the effective date of this Decision, present evidence

satisfactory to the Real Estate Commissioner that respondent has, since the most recent issuance of an original or renewal real estate license, 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. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

September 15, 1995


PAUL M. HOGAN
Administrative Law Judge
Office of Administrative Hearings

Sacto Ang

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
AUG 26 1995
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

AURORA ANG LO,

Respondent

}

By K. Krieder

Case No. H-26184 LA

OAH No. L-9506291

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

on August 24, 1995, at the hour of 1:30 p.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.

DEPARTMENT OF REAL ESTATE

Dated: July 26, 1995

By James R. Peel
Counsel

cc: Aurora Ang Lo
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JAMES R. PEEL, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

FILED
JUN - 1 1995
DEPARTMENT OF REAL ESTATE

By *K. Knebelholz*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-26184 LA
)	
AURORA ANG LO,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
)	

The Complainant, Peter F. Hurst, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against AURORA ANG LO, alleges as follows:

I

The Complainant, Peter F. Hurst, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

II

AURORA ANG LO (hereinafter referred to as respondent) is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and 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 broker.

IV

On or about June 1, 1994, in the Municipal Court of the State of California, County of Santa Clara, respondent was convicted of violating Penal Code Section 484-488 (Petty Theft), 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 AURORA ANG LO 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 1st day of June, 1995.

PETER F. HURST

Deputy Real Estate Commissioner

cc: Aurora Ang Lo
Sacto
CT