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APR 17 2002

DEPARTMENT OF REAL ESTATE

By *Juan P. ...*

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of )  
GERTRUDE ANNE VILLANUEVA, ) NO. H-26427 LA  
Respondent. )

ORDER GRANTING UNRESTRICTED LICENSE

On January 15, 1996, an Order was rendered herein, denying Respondent's application for a real estate license but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on February 16, 1996, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent.

On September 28, 2001, Respondent petitioned for the removal of restrictions attaching to her real estate salesperson license.

I have considered Respondent's petition and the evidence submitted in support thereof including Respondent's

1 record as a restricted licensee. Respondent has demonstrated to  
2 my satisfaction that she meets the requirements of law for the  
3 issuance to her of an unrestricted real estate salesperson  
4 license and that it would not be against the public interest to  
5 issue said license to her.

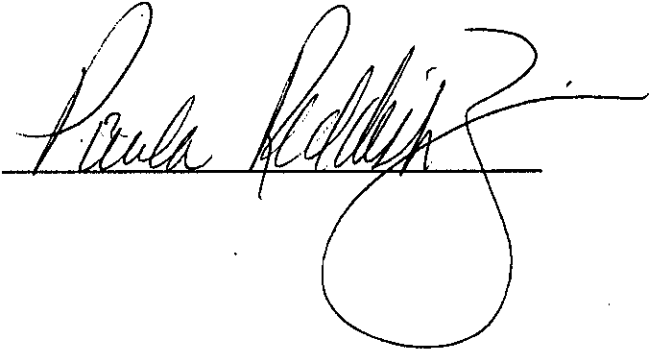
6 NOW, THEREFORE, IT IS ORDERED that Respondent's  
7 petition for removal of restrictions is granted and that a real  
8 estate salesperson license be issued to Respondent if Respondent  
9 satisfies the following condition within nine months from the  
10 date of this Order:

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

13 This Order shall be effective immediately.

14 DATED: March 29, 2002  
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16 PAULA REDDISH ZINNEMANN  
17 Real Estate Commissioner

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**FILED**  
JAN 18 1996  
DEPARTMENT OF REAL ESTATE

By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of ) No. H-26427 LA  
)  
GERTRUDE ANNE VILLANUEVA, ) STIPULATION AND WAIVER  
)  
Respondent(s). )  
\_\_\_\_\_ )

I, GERTRUDE ANNE VILLANUEVA, Respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on December 15, 1995, in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other

1 allegations therein, or that he may in his discretion waive the  
2 hearing and grant me a restricted real estate salesperson  
3 license based upon this Stipulation and Waiver. I also  
4 understand that by filing the Statement of Issues in this matter  
5 the Real Estate Commissioner is shifting the burden to me to  
6 make a satisfactory showing that I meet all the requirements for  
7 issuance of a real estate salesperson license. I further  
8 understand that by entering into this Stipulation and Waiver I  
9 will be stipulating that the Real Estate Commissioner has found  
10 that I have failed to make such a showing, thereby justifying  
11 the denial of the issuance to me of an unrestricted real estate  
12 salesperson license.

13 I hereby admit that the allegations of the Statement  
14 of Issues filed against me are true and correct and request that  
15 the Real Estate Commissioner in his discretion issue a  
16 restricted real estate salesperson license to me under the  
17 authority of Section 10156.5 of the Business and Professions  
18 Code. I understand that any such restricted license will be  
19 issued subject to and be limited by Section 10153.4 of the  
20 Business and Professions Code.

21 I am aware that by signing this Stipulation and  
22 Waiver, I am waiving my right to a hearing and the opportunity  
23 to present evidence at the hearing to establish my  
24 rehabilitation in order to obtain an unrestricted real estate  
25 salesperson license if this Stipulation and Waiver is accepted  
26 by the Real Estate Commissioner. However, I am not waiving my  
27 right to a hearing and to further proceedings to obtain a



1 restricted or unrestricted license if this Stipulation and  
2 Waiver is not accepted by the Commissioner.

3 I further understand that the following conditions,  
4 limitations and restrictions will attach to a restricted license  
5 issued by the Department of Real Estate pursuant hereto:

6 1. The license shall not confer any property right in  
7 the privileges to be exercised including the right of renewal,  
8 and the Real Estate Commissioner may by appropriate order  
9 suspend the right to exercise any privileges granted under this  
10 restricted license in the event of;

11 a. The conviction of Respondent (including a plea of  
12 nolo contendere) to a crime which bears a substantial  
13 relationship to Respondent's fitness or capacity as a real  
14 estate licensee; or

15 b. The receipt of evidence that Respondent has  
16 violated provisions of the California Real Estate Law, the  
17 Subdivided Lands Law, Regulations of the Real Estate  
18 Commissioner or conditions attaching to this restricted license.

19 2. Respondent shall not be eligible to apply for the  
20 issuance of an unrestricted real estate license nor the removal  
21 of any of the conditions, limitations or restrictions attaching  
22 to the restricted license until one year has elapsed from the  
23 date of issuance of the restricted license to Respondent.

24 3. With the application for license, or with the  
25 application for transfer to a new employing broker, Respondent  
26 shall submit a statement signed by the prospective employing  
27 broker on a form approved by the Department of Real Estate

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wherein the employing broker shall certify as follows:

a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and

b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. Respondent shall, within eighteen (18) months of the date of issuance of the restricted license under the provisions of Section 10153.4 of the Business and Professions Code, submit evidence satisfactory to the Commissioner of successful completion at an accredited institution of two of the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real estate finance or advanced real estate appraisal. If Respondent fails to present satisfactory evidence of successful completion of said courses, the restricted license shall be automatically suspended effective eighteen (18) months after the date of issuance of the restricted license. Said suspension shall not be lifted until Respondent has submitted the required evidence of course completion and the Commissioner has given written notice to the Respondent of lifting of the suspension.

DATED this 23 day of December, 1995.

  
Respondent, GERTRUDE ANNE VILLANUEVA

1 I have read the Statement of Issues filed herein and  
2 the foregoing Stipulation and Waiver signed by Respondent. I am  
3 satisfied that the hearing for the purpose of requiring further  
4 proof as to the honesty and truthfulness of Respondent need not  
5 be called and that it will not be inimical to the public  
6 interest to issue a restricted real estate salesperson license  
7 to Respondent.

8 Therefore, IT IS HEREBY ORDERED that a restricted real  
9 estate salesperson license be issued to Respondent, GERTRUDE  
10 ANNE VILLANUEVA, if Respondent has otherwise fulfilled all of  
11 the statutory requirements for licensure. The restricted  
12 license shall be limited, conditioned and restricted as  
13 specified in the foregoing Stipulation and Waiver.

14 This Order is effective immediately.

15 DATED: 1-15-96.

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17 JIM ANTT, JR.  
Real Estate Commissioner

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III

On or about November 4, 1994, in the Municipal Court of Los Angeles, West Los Angeles Judicial District, Respondent was convicted of violation of Section 484(a) PC (Petty theft), a crime involving moral turpitude which is substantially related under Section 2910, Title 10, Chapter 6, California Code of Regulations, to the qualifications, functions or duties of a licensee.

IV

Respondent's criminal conviction, as alleged above in Paragraph III, is cause for the denial of Respondent's application for a real estate license under Sections 10177(b) and 480 of the California Business and Professions Code.

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

Dated at Los Angeles, California  
this 15th day of December, 1995.

THOMAS McCRADY

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Deputy Real Estate Commissioner

cc: Gertrude Anne Villanueva  
D. Villanueva & Associates/Daisy Villanueva  
Sacto.  
CPLM