

FILED
FEB 25 1997
DEPARTMENT OF REAL ESTATE

By C. Bay

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Application of)	No. H-26982 LA
)	L-9701057
PAT ZANE GLANCE,	)
)	<u>STIPULATION AND WAIVER</u>
Respondent(s).	)
_____	)

I, PAT ZANE GLANCE, Respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate broker 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 16, 1996, in connection with my application for a real estate broker 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 allegations therein, or that he may in his discretion waive the hearing and

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

11 I hereby admit that the allegations of the Statement of
12 Issues filed against me are true and correct and request that the
13 Real Estate Commissioner in his discretion issue a restricted real
14 estate broker license to me under the authority of Section 10156.6
15 of the Business and Professions Code.

16 I am aware that by signing this Stipulation and Waiver,
17 and if this Stipulation and Waiver is accepted by the Real Estate
18 Commissioner, I am waiving my right to a hearing and the
19 opportunity to present evidence at the hearing to establish my
20 rehabilitation in order to obtain an unrestricted real estate
21 broker license. I am not waiving my right to a hearing and to
22 further proceedings to obtain a restricted or unrestricted license
23 if this Stipulation and Waiver is not accepted by the
24 Commissioner.

25 I further understand that the following conditions,
26 limitations and restrictions will attach to a restricted license
27 issued by the Department of Real Estate pursuant thereto:

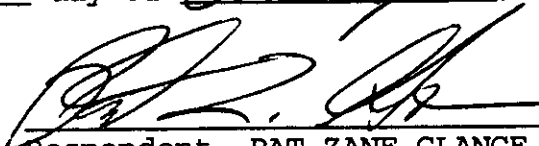
1 1. The license shall not confer any property right in
2 privileges to be exercised, and the Real Estate Commissioner may
3 by appropriate order suspend the right to exercise any privileges
4 granted under this restricted license in the event of:

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

9 b. The receipt of evidence that Respondent has violated
10 provisions of the California Real Estate Law, the
11 Subdivided Lands Law, Regulations of the Real Estate
12 Commissioner or conditions attaching to this
13 restricted license.

14 2. Respondent shall not be eligible to apply for the
15 issuance of an unrestricted real estate license nor the removal of
16 any of the conditions, limitations or restrictions attaching to
17 the restricted license until one year has elapsed from the date of
18 issuance of the restricted license to Respondent.

19 DATED this 22nd day of January, 1997.

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22 Respondent, PAT ZANE GLANCE

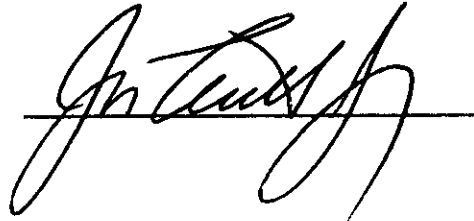
23 I have read the Statement of Issues filed herein and the
24 foregoing Stipulation and Waiver signed by Respondent. I am
25 satisfied that the hearing for the purpose of requiring further
26 proof as to the honesty and truthfulness of Respondent need not be
27 called and that it will not be inimical to the public interest to
issue a restricted real estate broker license to Respondent.

1 Therefore, IT IS HEREBY ORDERD that a restricted real
2 estate broker license be issued to Respondent PAT ZANE GLANCE, if
3 Respondent has otherwise fulfilled all of the statutory
4 requirements for licensure. The restricted license shall be
5 limited, conditioned and restricted as specified in the foregoing
6 Stipulation and Waiver.

7 This Order is effective immediately.

8 DATED: 2/20/97

9 JIM ANTT, JR.
10 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)
PAT ZANE GLANCE,)
_____)
Respondent(s)

Case No. H-26982 LA
OAH No. L-9701057

FILED
JAN 14 1997
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

To the above-named Respondent(s):

By LM

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 314 W. First Street, Los Angeles, CA 90012 on TUESDAY, JANUARY 28, 1997, at the hour of 1:30 P.M., or as soon thereafter as the matter can be heard, upon the Statement of Issues 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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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: January 14, 1997

By

Darlene Averetta
DARLENE AVERETTA, Counsel

cc: Pat Zane Glance
Sacto.
OAH

CEB

RE 501 (LA Mac 11/92)

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FILED
DEC 18 1996
DEPARTMENT OF REAL ESTATE

By C. By

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Application of) No. H-26982 LA
PAT ZANE GLANCE,)
Respondent.)

ORDER SUSPENDING REAL ESTATE LICENSE

TO: PAT ZANE GLANCE, Respondent
P.O. Box 15013
Newport Beach, California 92663

On September 10, 1996, the above-named Respondent filed with the Department of Real Estate of the State of California ("Department") an application for a real estate broker license. In response to Question 20 on said application, 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 indicated that in 1993, he had been convicted of a Vehicle Code violation.

On or about September 19, 1996, the Department issued a real estate broker license to Respondent in reliance upon the

1 aforesaid answer of Respondent.

2 On December 16, 1996, in Case No. H-26982 LA, a
3 Statement of Issues signed by a Deputy Real Estate Commissioner
4 of the State of California was filed charging Respondent with
5 having procured a real estate license by fraud, misrepresentation
6 or deceit and with knowingly having made a false statement of fact
7 required to be revealed in the application for such license.

8 NOW, THEREFORE, IT IS ORDERED under authority of Section
9 10177.1 of the Business and Professions Code of the State of
10 California that the real estate broker license heretofore issued to
11 Respondent and the exercise of any privileges thereunder is hereby
12 suspended pending final determination made after the hearing on the
13 aforesaid a Statement of Issues, a copy of which is attached
14 hereto.

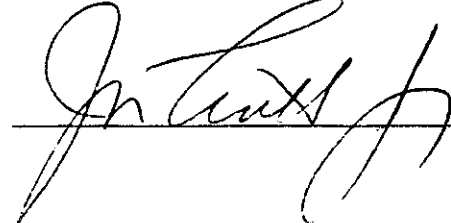
15 IT IS FURTHER ORDERED that all license certificates and
16 identification cards issued by the Department which are in the
17 possession of Respondent be immediately surrendered by personal
18 delivery or by mailing in the enclosed self-addressed envelope to:

19 DEPARTMENT OF REAL ESTATE
20 Attention: Flag Section
21 Post Office Box 187000
Sacramento, CA 95818-7000

22 This Order shall be effective immediately.

23 DATED: 12/17/96.

24 JIM ANTT, JR.
25 Real Estate Commissioner

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

5 (213) 897-3937

FILED
DEC 16 1996
DEPARTMENT OF REAL ESTATE

By C. 3y

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Application of) No. H-26982 LA
12 PAT ZANE GLANCE,) STATEMENT OF ISSUES
13 Respondent.)
14 _____)

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against PAT ZANE GLANCE (hereinafter "Respondent"), alleges as
18 follows:

19 I

20 The Complainant, Thomas McCrady, a Deputy Real Estate
21 Commissioner of the State of California, makes this Statement of
22 Issues in his official capacity.

23 II

24 Respondent was issued a real estate broker license on
25 September 19, 1996, following Respondent's application therefor
26 filed on or about September 10, 1996.

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1 III

2 In response to Question 20 on said application, to wit:
3 "Have you ever been convicted of any violation of law? (You may
4 omit any traffic violation where the disposition was a fine and
5 the amount was \$100 or less)", Respondent indicated that in 1993,
6 he had been convicted of a Vehicle Code violation.

7 IV

8 On or about July 27, 1987, in the Superior Court of
9 California, County of Orange, Respondent PAT ZANE GLANCE aka
10 Patrick Zane Glance, was convicted on his plea of guilty of one
11 count of violating Section 11351 of the Health and Safety Code
12 (Possession for Sale a Controlled Substance, to wit: Cocaine),
13 a felony and/or crime involving moral turpitude which bears a
14 substantial relationship under Section 2910, Title 10, California
15 Code of Regulations, to the qualifications, functions or duties
16 of a real estate licensee. Said conviction was affirmed on
17 appeal, on or about June 20, 1989.

18 V

19 Respondent's failure to reveal the conviction against
20 him as set forth in Paragraph IV, above, constitutes the
21 procurement of a real estate license by fraud, misrepresentation
22 or deceit, or by making a material misstatement of fact in said
23 application, which failure constitutes cause under Sections
24 480(c) and 10177(a) of the California Business and Professions
25 Code (hereinafter "Code") for denial of Respondent's application
26 for a real estate license.

27 ///



The crime of which Respondent was convicted, as alleged in Paragraph IV, above, constitutes cause for denial of Respondent's application for a real estate license under Code Sections 480(a)(1) and 10177(b).

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.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate broker license to Respondent PAT ZANE GLANCE, and for such other and further relief as may be proper in the premises.

Dated at Los Angeles, California
this 16th day of December, 1996.

THOMAS MCCRADY
Deputy Real Estate Commissioner

cc: Pat Zane Glance
Sacto.
SR

