

David J...

FILED
AUG 14 2007
DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-27364 LA
IKE NORBERT ONYEADOR,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On July 20, 1998, a Decision was rendered herein revoking the real estate broker license of Respondent, 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 or about February 8, 1999, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On August 24, 2005, 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.

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

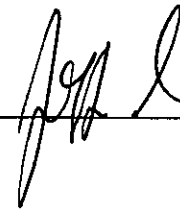
9 NOW, THEREFORE, IT IS ORDERED that Respondent's
10 petition for reinstatement is granted and that a real estate
11 broker license be issued to Respondent if Respondent satisfies
12 the following conditions within nine (9) months from the date of
13 this Order:

14 Submittal of a completed application and payment of
15 the fee for a real estate broker license.

16 This Order shall become effective immediately.

17 DATED: 8.9.07

18 JEFF DAVI
19 Real Estate Commissioner

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SACD.
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FILED
SEP 28 1998
DEPARTMENT OF REAL ESTATE

By Jean Alarido

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-27364 LA
)	L-1997110408
IKE NORBERT ONYEADOR,)	
)	
Respondent.)	

ORDER DENYING RECONSIDERATION

On July 20, 1998, a Decision was rendered in the above-entitled matter. The Decision is to become effective on September 28, 1998.

On September 9, 1998, Respondent petitioned for reconsideration of the Decision.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Decision of July 20, 1998, and reconsideration is hereby denied.

IT IS SO ORDERED 9/28, 1998.

JIM ANTT, JR.
Real Estate Commissioner

J. Antt, Jr.

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FILED
SEP 15 1998
DEPARTMENT OF REAL ESTATE
by *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
IKE NORBERT ONYEADOR,) NO. H-27364 LA
Respondent.) L-1997110408

ORDER STAYING EFFECTIVE DATE

On July 20, 1998, a Decision was rendered in the above-entitled matter to become effective August 18, 1998. On July 31, 1998, the effective date of said Order was stayed until September 17, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of July 20, 1998, is stayed for an additional period of ten (10) days.

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The Decision of July 20, 1998, shall become effective
at 12 o'clock noon on September 28, 1998.

DATED: September 15, 1998.

JIM ANTT, JR.
Real Estate Commissioner

By: *Randolph Brendia*
RANDOLPH BRENDIA
Regional Manager



SACD.
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FILED
JUL 31 1998
DEPARTMENT OF REAL ESTATE
By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
IKE NORBERT ONYEADOR,)	NO. H-27364 LA
Respondent.)	L-1997110408
_____)	

ORDER STAYING EFFECTIVE DATE

On July 20, 1998, a Decision was rendered in the above-entitled matter to become effective August 18, 1998.

IT IS HEREBY ORDERED that the effective date of the Decision of July 20, 1998, is stayed for a period of thirty (30) days.

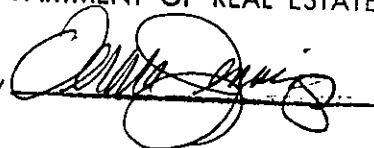
The Decision of July 20, 1998, shall become effective at 12 o'clock noon on September 17, 1998.

DATED: 31 July 1998

JIM ANTT, JR.
Real Estate Commissioner

By: [Signature]
RANDOLPH BRENDA
Regional Manager

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FILED
JUL 28 1998
DEPARTMENT OF REAL ESTATE
By 

DBEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
IKE NORBERT ONYEADOR,) NO. H-27364 LA
Respondent.) L-1997110408

DECISION AFTER REJECTION

This matter came on for hearing before Milford A. Maron, Administrative Law Judge of the Office of Administrative Hearings at Los Angeles, California, on February 24, 1998.

Darlene Averetta, Counsel, represented the Complainant. The Respondent appeared in person and represented himself.

Evidence was received, the hearing was closed and the matter stood submitted.

On March 4, 1998, the Administrative Law Judge submitted a Proposed Decision which I declined to adopt as my Decision herein.

///

1 Pursuant to Section 11517(c) of the Government Code
2 of the State of California, Respondent was served with notice
3 of my determination not to adopt the Proposed Decision of the
4 Administrative Law Judge along with a copy of said Proposed
5 Decision. Respondent was notified that the case would be decided
6 by me upon the record, the transcript of proceedings held on
7 February 24, 1998, and upon any written argument offered by
8 Respondent and Complainant.

9 On June 2, 1998, Argument was submitted by Respondent.
10 On June 10, 1998, Argument was submitted on behalf of Complainant.

11 I have given careful consideration to the record in this
12 case including the transcript of proceedings of February 24, 1998.
13 I have also considered the argument, submitted by Respondent and
14 the argument submitted by Complainant.

15 The following shall constitute the Decision of the Real
16 Estate Commissioner in this proceeding:

17 FINDINGS OF FACT

18 I

19 I have determined that Finding of Fact IV of the
20 Proposed Decision of the Administrative Law Judge dated March 4,
21 1998, is not appropriate and said Finding is not adopted. Finding
22 of Fact IV shall be as follows:

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IV

Respondent testified in his own behalf and established the following facts:

1. The underlying facts surrounding Respondent's conviction were that he submitted loan documents in his brother's name to purchase an automobile because of his brother's better credit rating. Law enforcement officials found out about it and Respondent was arrested and ultimately convicted.

2. Respondent suffers from the bi-bolar syndrome for which he is taking medication. Respondent currently receives Social Security disability payments.

3. Respondent has not engaged in work requiring a real estate license since August of 1994.

All other findings are accepted and those other findings are adopted as the Findings of Fact of the Real Estate Commissioner in this proceeding.

DETERMINATION OF ISSUES

The Determination of Issues shall be as follows:

I

Cause exists to revoke or suspend Respondent's license and license rights pursuant to Business and Professions Code Sections 490 and 10177(b).

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

6 4. Respondent shall submit with any application for
7 license under an employing broker, or any application for
8 transfer to a new employing broker, a statement signed by the
9 prospective employing broker on a form approved by the Department
10 of Real Estate which shall certify:

11 a. That the employing broker has read the
12 Decision of the Commissioner which granted the right to a
13 restricted license; and

14 b. That the employing broker will exercise close
15 supervision over the performance by the restricted licensee
16 relating to activities for which a real estate license is
17 required.

18 5. Respondent shall within nine months from the
19 effective date of this Decision present evidence satisfactory to
20 the Real Estate Commissioner that Respondent has, since the
21 most recent issuance of an original or renewal real estate license,
22 taken and successfully completed the continuing education
23 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for
24 renewal of a real estate license. If Respondent fails to satisfy
25 this condition, the Commissioner may order the suspension of the
26 restricted license until the Respondent presents such evidence.
27 The Commissioner shall afford Respondent the opportunity for a



1 hearing pursuant to the Administrative Procedure Act to present
2 such evidence.

3 This Decision shall become effective at 12 o'clock noon
4 on August 18, 1998.

5 IT IS SO ORDERED 7/20/98.

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7 JIM ANTT, JR.
Real Estate Commissioner

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*S.M.P.
E.H.G.*

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FILED
MAR 24 1998
DEPARTMENT OF REAL ESTATE
By *[Signature]*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-27364 LA
IKE NORBERT ONYEADOR,)	L-1997110408
Respondent.)	

NOTICE

TO: IKE NORBERT ONYEADOR, Respondent.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated March 4, 1998, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated March 4, 1998, is attached hereto for your information.

In accordance with Section 11517(c) of the Government Code of the State of California, the disposition of this case will be determined by me after consideration of the record herein including the transcript of the proceedings held on February 24, 1998, and any written argument hereafter submitted on behalf of respondent and complainant.

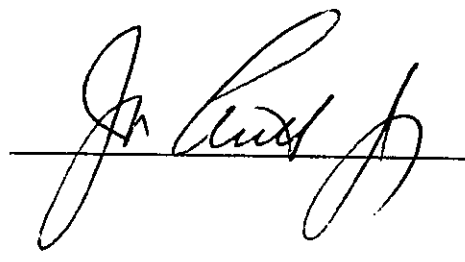
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Written argument of respondent to be considered by me must be submitted within fifteen (15) days after receipt of the transcript of the proceedings of February 24, 1998, at the Los Angeles office of the Department of Real Estate unless an extension of the time is granted for good cause shown.

Written argument of complainant to be considered by me must be submitted within fifteen (15) days after receipt of the argument of respondent at the Los Angeles office of the Department of Real Estate unless an extension of the time is granted for good cause shown.

DATED: 3/16, 1998.

JIM ANTT, JR.
Real Estate Commissioner



BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)
of:)
) No. H-27364 LA
)
IKE NORBERT ONYEADOR,) L-1997110408
)
)
Respondent.)
_____)

PROPOSED DECISION

This matter came on regularly for hearing before Milford A. Maron, Administrative Law Judge with the Office of Administrative Hearings, on February 24, 1998, at Los Angeles, California. The Complainant was represented by Darlene Averetta, Staff Counsel. Respondent, Ike Norbert Onyeador, appeared in person and represented himself. Oral and documentary evidence having been received, and the matter submitted, the Administrative Law Judge finds as follows:

I

Thomas McCrady, Complainant, is a Deputy Real Estate Commissioner of the State of California, and made the Accusation in his official capacity.

II

At all times material herein, Respondent, Ike Norbert Onyeador, was licensed by the Department of Real Estate as a real estate broker.

III

On or about January 13, 1995, in the Superior Court of the State of California, in and for the County of Orange, Respondent was convicted of violating Section 532a(1) of the Penal Code (Making False Financial Statements) and Section 487h(a) of the Penal Code (Grand Theft Auto), respectively. Said crimes involve moral turpitude and bear a substantial relationship to the qualifications, functions and duties of a real estate licensee.

IV

Respondent testified in his own behalf and established the following facts:

1. The event involving his conviction resulted when he submitted loan documents in his brother's name because of his brother's better credit rating. His brother was offended, and brought the matter to the attention of the authorities.
2. Respondent suffers from the bi-polar syndrome, for which he receives disability payments. Thus, he has not engaged in real estate activities for many months.

* * * * *

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

I

Cause exists against Respondent pursuant to Sections 490 and 10177(b) of the Business and Professions Code.

II

The public interest would not be adversely affected by imposing the afternoted restrictions on Respondent's licensure.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent, Ike Norbert Onyeador, 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:

Not adopted

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 five (5) years have 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.

5. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify:

- (a) That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and
- (b) That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.


6. Respondent shall, within six months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department, including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.

Not
Adopted

7. Respondent shall report in writing to the Department of Real Estate as the Real Estate Commissioner shall direct by his Decision herein or by separate written order issued while the restricted license is in effect such information concerning Respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but shall not be limited to, periodic independent accountings of trust funds in the custody and control of Respondent and periodic summaries of salient information concerning each real estate transaction in which the Respondent engaged during the period covered by the report.

DATED: March 4, 1998


MILFORD A. MARON
Administrative Law Judge
Office of Administrative Hearings

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JAN 14 1998
DEPARTMENT OF REAL ESTATE

* * * *

In the Matter of the Accusation of)
)
IKE NORBERT ONYEADOR,)
)
Respondent.)

Case No. H-27364 LA
OAH No. L-1997110408

By: 

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, 107 South Broadway, 2nd Floor, Los Angeles, California, on February 24, 1998, at the hour of 1:30 p.m., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: January 14, 1998.

DEPARTMENT OF REAL ESTATE

cc: Ike Norbert Onyeador
Sacto.
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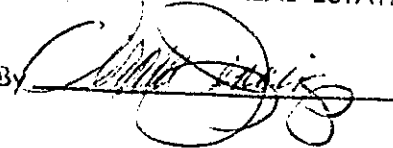
By: 
DARLENE AVERETTA, Counsel

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

(213) 897-3937

FILED
SEP 26 1997
DEPARTMENT OF REAL ESTATE
By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-27364 LA
IKE NORBERT ONYEADOR,)	<u>A C C U S A T I O N</u>
Respondent.)	

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against IKE NORBERT ONYEADOR (hereinafter "Respondent") alleges as follows:

I

The Complainant, Thomas McCrady, 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 California Business and Professions Code (hereinafter "Code") as a real estate broker.

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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, IKE NORBERT ONYEADOR, 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 26th day of September, 1997.


Deputy Real Estate Commissioner

cc: Ike Norbert Onyeador
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