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FILED
APR 19 2001
DEPARTMENT OF REAL ESTATE

By *Laura B. Oron*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-27542 LA
MANUEL RUIZ MARTINEZ,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 18, 1997, a Decision was rendered in Case No. H-26624 LA, revoking the real estate salesperson 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 on March 18, 1997.

On January 30, 1998, an Accusation was filed against Respondent in Case No. H-27542 LA, for failing to meet the condition of his restricted license that he submit evidence of completion of continuing education.

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1 On April 15, 1998, a Decision was rendered herein
2 revoking the real estate salesperson license of Respondent.

3 On August 15, 2000, Respondent petitioned for
4 reinstatement of said real estate salesperson license, and
5 the Attorney General of the State of California has been given
6 notice of the filing of said petition.

7 I have considered the petition of Respondent and the
8 evidence and arguments in support thereof, including
9 Respondent's record as a restricted licensee. Respondent has
10 demonstrated to my satisfaction that Respondent meets the
11 requirements of law for the issuance to Respondent of an
12 unrestricted real estate salesperson license and that it would
13 not be against the public interest to issue said license to
14 MANUEL RUIZ MARTINEZ.

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

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

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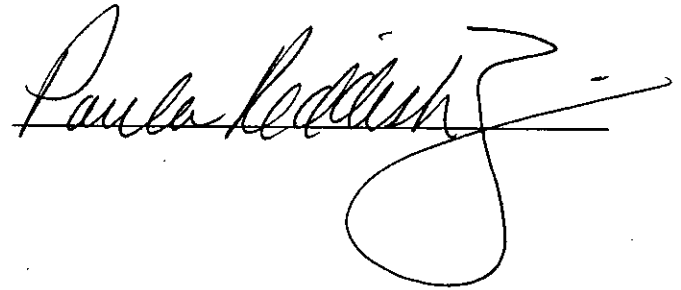
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1 2. Submittal of evidence of having, since the most
2 recent issuance of an original or renewal real estate license,
3 taken and successfully completed the continuing education
4 requirements of Article 2.5 of Chapter 3 of the Real Estate
5 Law for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

6 This Order shall be effective immediately.

7 Dated: April 9, 2001.

8 PAULA REDDISH ZINNEMANN
9 Real Estate Commissioner

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24 cc: Manuel Ruiz Martinez
25 376 E. Rowland St.
26 Covina, CA 91723
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FILED
APR 27 1998

DEPARTMENT OF REAL ESTATE

By

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)
MANUEL RUIZ MARTINEZ)
Respondent)

No. H-27542 LA

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on April 8, 1998, and the findings of fact set forth herein are based on one or more of the following: (1) respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

I

(a) On January 30, 1998, Thomas McCrady made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to respondent's last known mailing address on file with the Department on March 2, 1998, along with an Order suspending the restricted license of respondent.

(b) On April 8, 1998, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

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 the "Code") as a restricted real estate salesperson.

III

On or about March 18, 1997, the aforesaid restricted real estate salesperson license was issued by the Department to Respondent on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Order of February 18, 1997, effective March 18, 1997, in Case No. H-26624 LA.

Included in said terms, conditions and restrictions was the following condition:

"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."

IV

The requirements set forth above, in Finding III, should have been met by Respondent on or about December 18, 1997. To date, Respondent has failed to submit evidence that he has taken all or any of the continuing education requirements which were a condition attached to his present restricted license.

DETERMINATION OF ISSUES

The facts set forth above are grounds for the suspension or revocation of Respondent's restricted real estate salesperson license and license rights under Section 10177 (k) of the Code.

ORDER

The license and license rights MANUEL RUIZ MARTINEZ. under the provisions of Part 1 of Division 4 of the Business and Professions Code are revoked.

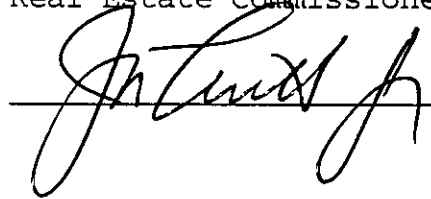
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This Decision shall become effective at
12 o'clock noon on May 18, 1998.

IT IS SO ORDERED 4/15, 1998.

JIM ANTT, JR.
Real Estate Commissioner

A handwritten signature in cursive script, appearing to read "Jim Antt, Jr.", is written over a horizontal line.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H- 27542 LA
MANUEL RUIZ MARTINEZ)	
Respondent)	
_____)	

EXHIBIT LIST

Listed below is the documentary evidence submitted
in support of the Decision in this matter.

Exhibit No. 1:

Pleading and service documents consisting of:

1. Accusation filed on January 30, 1998;
2. Statement to Respondent;
3. Form for Notice of Defense
4. Discovery Provisions (Administrative Procedure Act);
5. Declaration of Mailing dated March 2, 1998.

Exhibit No. 2:

License Certification for Respondent

Exhibit No. 3:

Decision in H-26624 LA

Exhibit No. 4:

E-Mail from Flag Section dated April 8, 1998

DATED; 4-8-98

DEPARTMENT OF REAL ESTATE

Robert E. Baker
Robert E. Baker, Counsel

FILED
4-8-98

DEPARTMENT OF REAL ESTATE

By T Baker

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) No. H- 27542 LA
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)
MANUEL RUIZ MARTINEZ)
)
)
Respondent.)
_____)

DEFAULT ORDER

Respondent, MANUEL RUIZ MARTINEZ , having failed to
file a Notice of Defense within the time required by Section 11506
of the Government Code, is now in default. It is, therefore,
ordered that a default be entered on the record in this matter.

IT IS SO ORDERED April 8, 1998.

JIM ANTT, JR.
Real Estate Commissioner

Randolph Brendia
By: RANDOLPH BRENDIA
Regional Manager



FILED
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DEPARTMENT OF REAL ESTATE

By [Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) No. H- 27542 LA
MANUEL RUIZ MARTINEZ)
Respondent.)

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

TO: MANUEL RUIZ MARTINEZ, Respondent
1694 Club Drive
Pomona, California 91767

On or about March 18, 1997, a restricted real estate salesperson license was issued by the Department of Real Estate to respondent on the terms, conditions and restrictions set forth in the Real Estate Commissioner's Order of February 18, 1997, in Case No.H-26624 LA. This Order granted the right to a restricted real estate salesperson license subject to the provisions of Section 10156.6 of said Code.

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1 On January 30, 1998 , in Case No. H- 27542 LA , an
2 Accusation by a Deputy Real Estate Commissioner of the State of
3 California was filed charging Respondent with a violation of
4 Section 10177(k) of the Business and Professions Code of the State
5 of California.

6 NOW, THEREFORE, IT IS ORDERED under authority of Section
7 10156.7 of the Business and Professions Code of the State of
8 California that the restricted real estate salesperson license
9 heretofore issued to Respondent and the exercise of any privileges
10 thereunder is hereby suspended pending a final determination made
11 after the hearing on the aforesaid Accusation.

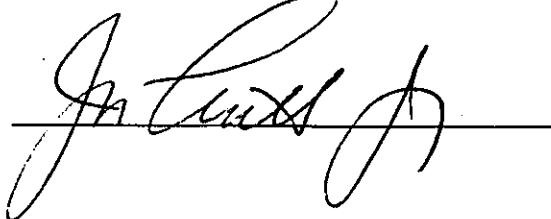
12 IT IS FURTHER ORDERED that all license certificates and
13 identification cards issued by the Department of Real Estate which
14 are in possession of Respondent be immediately surrendered by
15 personal delivery or by mailing in the enclosed self-addressed
16 envelope to:

17 Department of Real Estate
18 107 South Broadway, Room 8107
19 Los Angeles, California 90012

20 This Order is effective immediately.

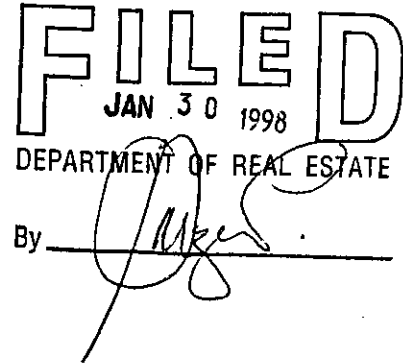
21 DATED: 2/23/98

22
23 JIM ANTT, JR.
24 Real Estate Commissioner

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26
27



1 Robert E. Baker, Counsel
2 State Bar No. 53100
3 Department of Real Estate
4 107 South Broadway, Room 8107
5 Los Angeles, California 90012
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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-27542 LA
MANUEL RUIZ MARTINEZ)	<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 MANUEL RUIZ MARTINEZ (hereinafter "Respondent"), is informed and alleges in his official capacity as follows:

I

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 the "Code") as a restricted real estate salesperson.

II

On or about March 18, 1997, the aforesaid restricted real estate salesperson license was issued by the Department to



1 Respondent on the terms, conditions and restrictions set forth in
2 the Real Estate Commissioner's Order of February 18, 1997,
3 effective March 18, 1997, in Case No. H-26624 LA.

4 Included in said terms, conditions and restrictions was
5 the following condition:
6

7 "Respondent shall, within nine months from the effective
8 date of this Decision, present evidence satisfactory to the Real
9 Estate Commissioner that Respondent has, since the most recent
10 issuance of an original or renewal real estate license, taken and
11 successfully completed the continuing education requirements of
12 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
13 real estate license. If Respondent fails to satisfy this
14 condition, the Commissioner may order the suspension of the
15 restricted license until the Respondent presents such evidence.
16 The Commissioner shall afford Respondent the opportunity for a
17 hearing pursuant to the Administrative Procedure Act to present
18 such evidence."

13 III

14 The requirements set forth above, in Paragraph II,
15 should have been met by Respondent on or about December 18, 1997.
16 To date, Respondent has failed to submit evidence that he has
17 taken all or any of the continuing education requirements which
18 were a condition attached to his present restricted license.
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20 IV

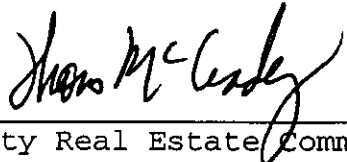
21 The facts set forth above are grounds for the suspension
22 or revocation of Respondent's restricted real estate salesperson
23 license and license rights under Section 10177 (k) of the Code.

24 WHEREFORE, Complainant prays that a hearing be conducted
25 on the allegations of this Accusation and that upon proof thereof,
26 a decision be rendered imposing disciplinary action against the
27 license and license rights of Respondent MANUEL RUIZ MARTINEZ

1 under the Real Estate Law and for such other and further relief as
2 may be proper under other applicable provisions of law.

3 Dated at Los Angeles, California

4 this 30th day of January 1998.

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6 _____
7 Deputy Real Estate Commissioner

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