

FILED
NOV 16 2001
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Jana B. Jones

* * * *

In the Matter of the Accusation of)	NO. H-29113 LA
)	
JOHN JOSEPH EDGINGTON,)	
)	
)	
)	
Respondent.)	
_____)	

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 October 26, 2001, 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.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

I

On July 2, 2001, 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 July 2, 2001.

On October 26, 2001, 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

JOHN JOSEPH EDGINGTON (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 referred to as the "Code").

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 November 20, 2000, in the US District Court For the Central District of California, Respondent was convicted of U.S. Housing and Urban Development ("HUD") Fraud, in violation of 18 USC 1010, 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.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

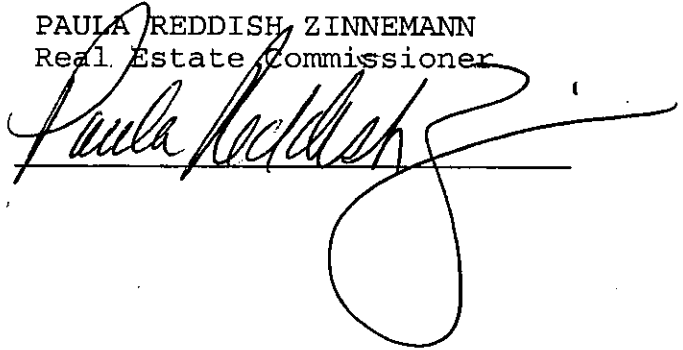
ORDER

All licenses and license rights of JOHN JOSEPH EDGINGTON under the provisions of Part 1 of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on December 6, 2001.

DATED: November 9, 2001.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

A handwritten signature in cursive script, reading "Paula Reddish Zinnemann", is written over a horizontal line. The signature is fluid and extends to the right of the line.

FILED
OCT 26 2001
DEPARTMENT OF REAL ESTATE

By Janis B. Jew

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-29113 LA
)	
JOHN JOSEPH EDGINGTON,)	<u>DEFAULT ORDER</u>
)	
Respondent.)	
)	

Respondent, JOHN JOSEPH EDGINGTON, 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 October 26, 2001

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

Dolores Ramos
By: DOLORES RAMOS
Regional Manager

*Subs
file*

FILED
JUL 2 2001
DEPARTMENT OF REAL ESTATE

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105
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7
8 Telephone: (213) 576-6982
9 -or- (213) 576-6913 (Direct)

By *Laura B. Brown*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11	In the Matter of the Accusation of)	No. H-29113 LA
12	JOHN JOSEPH EDGINGTON,)	A C C U S A T I O N
13	Respondent.)	
14	<hr/>		

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against JOHN JOSEPH EDGINGTON, alleges as follows:

18 I

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

22 II

23 JOHN JOSEPH EDGINGTON (hereinafter referred to as
24 Respondent) is presently licensed and/or has license rights under
25 the Real Estate Law (Part 1 of Division 4 of the Business and
26 Professions Code (hereinafter referred to as the "Code").

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The crime of which Respondent was convicted bears a substantial relationship to the qualifications, functions or duties of a real estate licensee.

VI

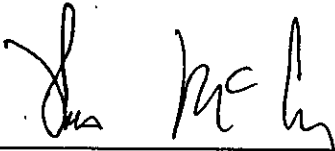
Respondent's criminal conviction is cause under Sections 490 and 10177(b) of the Business and Professions Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondent JOHN
5 JOSEPH EDGINGTON, under the Real Estate Law (Part 1 of Division 4
6 of the Business and Professions Code) and for such other and
7 further relief as may be proper under other applicable provisions
8 of law.

9 Dated at Los Angeles, California

10 this 2nd day of July, 2001.

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14 Deputy Real Estate Commissioner
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25 cc: John Joseph Edgington
26 Sacto.
27 Thomas McCrady
KM