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FILED
SEP 28 2010
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-29413 LA
)	
YVONNE F. GOYTIA)	
)	
Respondent.)	
)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On February 20, 2004, a Decision was rendered herein providing for the surrender of the real estate salesperson license of Respondent.

On or about January 22, 2009, Respondent petitioned for reinstatement of said real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of Respondent's petition.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate salesperson license and that it would not be against the public interest to issue said license to Respondent.

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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
reinstatement is granted and that a real estate salesperson license be issued to Respondent, if
Respondent satisfies the following conditions within twelve (12) months from the date of this

Order:

1. Respondent shall qualify for, take and pass the real estate salesperson license
examination.
2. Submittal of a completed application and payment of the fee for a real estate
salesperson license.

This Order shall be effective immediately.

Dated: 6/1/10

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

Handwritten initials

FILED
JUL 10 2007
DEPARTMENT OF REAL ESTATE

Handwritten signature: R. Mederholt

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-29413 LA
)	
YVONNE F. GOYTIA,)	
)	
Respondent.)	
)	

ORDER DENYING REINSTATEMENT OF LICENSE

On February 20, 2004, an Order was rendered herein accepting Respondent's petition for voluntary surrender of his real estate salesperson license. Said Order was effective March 30, 2004.

On or about August 21, 2006, Respondent petitioned for reinstatement of said license and the Attorney General of the State of California has been given notice of the filing of the petition.

///
///

1 I have considered Respondent's petition and the
2 evidence and arguments in support thereof. Respondent has
3 failed to demonstrate to my satisfaction that Respondent has
4 undergone sufficient rehabilitation to warrant the
5 reinstatement of Respondent's real estate salesperson license,
6 in that:
7

8 I

9 On March 7, 2002, an Accusation was filed by the
10 Department of Real Estate ("Department"), against Respondent
11 and on August 19, 2003, a First Supplemental Accusation was
12 filed by the Department against Respondent.
13

14 The Accusation stated the following: On or about
15 January 26, 1999, Respondent executed a residential purchase
16 agreement and receipt for deposit to purchase certain real
17 property located in Victorville, California. During the course
18 of the purchase, Respondent falsely represented to the lender,
19 the true identity of the parties applying for a loan, and made
20 false statements of her wealth, identity and financial
21 character. Respondent's conduct, acts and omissions
22 constituted cause under Section 10177(j) of the California
23 Business and Professions Code for the suspension or revocation
24 of Respondents license and license rights.
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The Supplemental Accusation stated the following:

On about June 13, 2003, in the Superior Court of California, Respondent was convicted of violating Section 530.5(A) of the California Penal Code (unauthorized use of personal identifying information to obtain credit, goods, services, or medical information in the name of another person). Said crime involves moral turpitude, and bears a substantial relationship to the qualifications, functions or duties of a real estate licensee pursuant to Section 2912, Title 10, Chapter 6, California Code of Regulations ("Regulation").

Said conviction constitutes cause to revoke or suspend a real estate license under Sections 490 and 10177(b) of the California Business and Professions Code.

Respondent, in her Declaration of Petition to Surrender Real Estate License, stated that all allegations contained in the Accusation filed in Department Case No. H-29413 LA may be considered by the Department to be true and correct for the purpose of deciding whether or not to grant reinstatement of her license.

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II

The burden of proving rehabilitation rests with the petitioner (Feinstein v. State Bar (1952) 39 Cal. 2d 541).

A petitioner is required to show greater proof of honesty and integrity than an applicant for first time licensure. The proof must be sufficient to overcome the prior adverse judgment on the applicant's character (Tardiff v. State Bar (1980) 27 Cal. 3d 395).

The Department has developed criteria in Regulation 2911 to assist in evaluating the rehabilitation of an applicant for reinstatement of a license. Among the criteria relevant in this proceeding are:

2911 (a) - A longer period of time is needed to assess Respondent's rehabilitation given Respondent's history of substantially related acts and conduct.

2911 (i) - Respondent has not provided proof of completion of, or sustained enrollment in, formal educational or vocational training courses.

Given the fact that Respondent has not established that Respondent has complied with Regulations 2911(a) and 2911(i), I am not satisfied that Respondent is sufficiently rehabilitated to receive a plenary real estate salesperson license.

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NOW, THEREFORE, IT IS ORDERED that Respondent's
petition for reinstatement of Respondent's real estate
salesperson license is denied.

I am satisfied, however, that it will not be against
the public interest to issue a restricted real estate
salesperson license to Respondent.

A restricted real estate salesperson license shall
be issued to Respondent pursuant to Code Section 10156.5
if Respondent within twelve (12) months from the date
hereof:

(1) Makes application therefor and pays the
appropriate fee for said license.

(2) Submits evidence satisfactory to the Real Estate
Commissioner that Respondent has, since his license was
surrendered, taken and passed the written examination required
to obtain a real estate salesperson license.

The restricted license issued to Respondent shall be
subject to all of the provisions of Code Section 10156.7 and to
the following limitations, conditions and restrictions imposed
under authority of Code Section 10156.6:

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1 1. The restricted license issued to Respondent
2 may be suspended prior to hearing by Order of the Real Estate
3 Commissioner in the event of Respondent's conviction or plea
4 of nolo contendere to a crime which is substantially related
5 to Respondent's fitness or capacity as a real estate licensee.
6

7 2. The restricted license issued to Respondent
8 may be suspended prior to hearing by Order of the Real Estate
9 Commissioner on evidence satisfactory to the Commissioner that
10 Respondent has violated provisions of the California Real
11 Estate Law, the Subdivided Lands Law, Regulations of the Real
12 Estate Commissioner or conditions attaching to the restricted
13 license.
14

15 3. Respondent shall not be eligible to apply for
16 the issuance of an unrestricted real estate license nor for
17 the removal of any of the conditions, limitations or
18 restrictions of a restricted license until two (2) years have
19 elapsed from the effective date of this Decision.
20

21 4. Respondent shall submit with any application for
22 license under an employing broker, or with any application for
23 transfer to a new employing broker, a statement signed by the
24 prospective employing real estate broker on a form approved by
25 the Department which shall certify:
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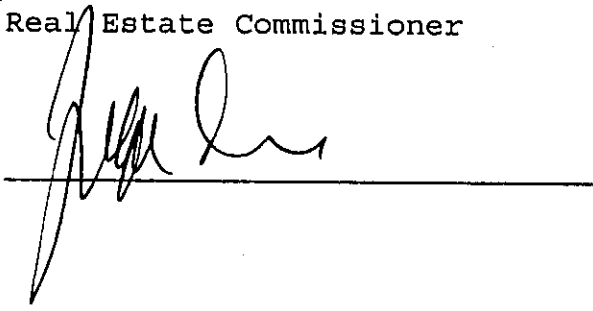
(a) That the employing broker has read the Decision
of the Commissioner which granted the right to a restricted
license; and

(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.

This Order shall become effective at 12 o'clock noon
on JUL 30 2007.

DATED: 6/29/07

JEFF DAVI
Real Estate Commissioner



A handwritten signature in black ink, appearing to read 'Jeff Davi', is written over a horizontal line.

SORTO
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FILED
MAR 10 2004
DEPARTMENT OF REAL ESTATE

By 

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-29413 LA
YVONNE F. GOYTIA,)	L-2002050691
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On March 7, 2002, an Accusation was filed and on August 19, 2003, a First Supplemental Accusation was filed in this in this matter against Respondent YVONNE F. GOYTIA.

On February 9, 2004, Respondent petitioned the Commissioner to voluntarily surrender her real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

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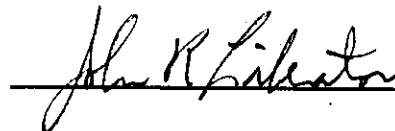
1 IT IS HEREBY ORDERED that Respondent YVONNE F. GOYTIA'S
2 petition for voluntary surrender of her real estate salesperson
3 license is accepted as of the effective date of this Order as set
4 forth below, based upon the understanding and agreement expressed
5 in Respondent's Declaration dated February 9, 2004 (attached as
6 Exhibit "A" hereto). Respondent's license certificate and pocket
7 card shall be sent to the below listed address so that they reach
8 the Department on or before the effective date of this Order:

9 Department of Real Estate
10 Attn: Licensing Flag Section
11 P.O. Box 187000
12 Sacramento, CA 95818-7000

13 This Order shall become effective at 12 o'clock noon on
14 March 30, 2004.

15 DATED: February 20, 2004

16 JOHN R. LIBERATOR
17 Acting Real Estate Commissioner

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FEB-09-04 MON 04:24 PM

FAX NO. 2135788917

P. 02

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	}	No. H-29413 LA
YVONNE M. GOYTIA,		
Respondent.		

DECLARATION

My name is YVONNE F. GOYTIA and I am currently licensed as a real estate salesperson and have license rights with respect to said license. I am represented by FRANK M. BUDA, Attorney at Law. In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) I wish to voluntarily surrender my real estate license(s) issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license that it can only be reinstated in accordance with the

2904
YGT

1 provisions of Section 11522 of the Government Code. I also
2 understand that by so voluntarily surrendering my license(s), I
3 agree to the following:

4 The filing of this Declaration shall be deemed as my
5 petition for voluntary surrender. It shall also be deemed to be
6 an understanding and agreement by me that, I waive all rights I
7 have to require the Commissioner to prove the allegations
8 contained in the Accusation filed in this matter at a hearing
9 held in accordance with the provisions of the Administrative
10 Procedure Act (Government Code Sections 11400 et seq.), and that
11 I also waive other rights afforded to me in connection with the
12 hearing such as the right to discovery, the right to present
13 evidence in defense of the allegations in the accusation and the
14 right to cross-examine witnesses. I further agree that upon
15 acceptance by the Commissioner, as evidenced by an appropriate
16 order, all affidavits and all relevant evidence obtained by the
17 Department in this matter prior to the Commissioner's
18 acceptance, and all allegations contained in the Accusation
19 filed in the Department Case No. H-29613 LA, may be considered
20 by the Department to be true and correct for the purpose of
21 deciding whether or not to grant reinstatement of my license(s)
22 pursuant to Government Code Section 11522.

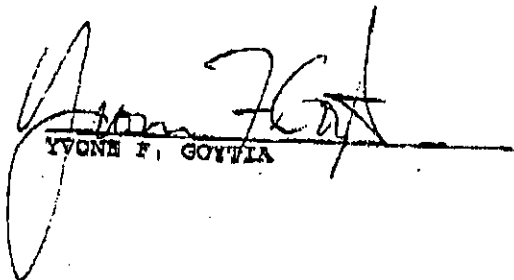
23 I declare under penalty of perjury under the laws of
24 the state of California that the above is true and correct and
25 that I freely and voluntarily surrender my license(s) and all
26 license rights attached thereto.

FEB-09-04 MON 04:25 PM

FAX NO. 2135786817

P. 04

1 Dated this 9 day of Feb, 2004, at Victorville
2 (city), State of California.


YVONNE F. GOYTIA

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FILED
OCT 27 2003
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By 

In the Matter of the Accusation of

YVONNE F. GOYTIA

Respondent

} Case No. H-29413 LA
} OAH No. L-2002050691

CONTINUED
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, 320 West Fourth Street, Suite 630, Los Angeles, California 90013, on February 10 and 11, 2004**, at the hour of **9:00 a.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.

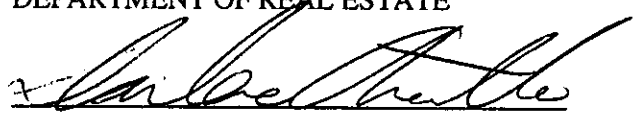
You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented 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.

DEPARTMENT OF REAL ESTATE

Dated: October 27, 2003

By 
DARLENE AVERETTA, Counsel

cc: Y. F. Goytia/F. M. Buda, Esq.
Sher-Plater Inc./Sacto./OAH

Sacto
Plater

FILED
SEP 24 2003
DEPARTMENT OF REAL ESTATE

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By 

In the Matter of the Accusation of

YVONNE F. GOYTIA

}
}

Case No. H-29413 LA

OAH No. L-2002050691

Respondent

**CONTINUED
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, 320 West Fourth Street, Suite 630, Los Angeles, California 90013, on December 22 and 23, 2003, at the hour of 9:00 a.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.

DEPARTMENT OF REAL ESTATE

Dated: September 24, 2003

By 
DARLENE AVERETTA, Counsel

cc: Y. F. Goytia/F. M. Buda, Esq.
Sher-Plater Inc./Sacto./OAH

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FILED
AUG 19 2003
DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-29413 LA
)	L-2002050691
YVONNE F. GOYTIA,)	
)	<u>FIRST SUPPLEMENTAL</u>
)	<u>ACCUSATION</u>
Respondent.)	
)	

Complainant hereby supplements and amends the
Accusation filed herein on March 7, 2002, as follows:

A Second Cause of Accusation, is hereby added to read:

SECOND CAUSE OF ACCUSATION

X

Complainant incorporates herein the allegations of
Paragraphs I through IX, inclusive.

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1 XI

2 On or about June 13, 2003, in the Superior Court
3 of California, County of San Bernardino, San Bernardino
4 District, Respondent YVONNE F. GOYTIA, aka Yvonne Fernandez
5 Goytia, was convicted on her plea of guilty of one count of
6 violating Section 530.5(A) of the California Penal Code
7 (Unauthorized Use of Personal Identifying Information to Obtain
8 Credit, Goods, Services, or Medical Information in the Name of
9 Another Person). Said crime involves moral turpitude and bears
10 a substantial relationship under Section 2910, Title 10, Chapter
11 6, California Code of Regulations, to the qualifications,
12 functions or duties of a real estate licensee.

13 XII

14 The crime of which Respondent was convicted, as
15 described in Paragraph XI, above, constitutes cause under
16 Sections 490 and 10177(b) of the Business and Professions
17 Code for the suspension or revocation of the license and
18 license rights of Respondent under the Real Estate Law.

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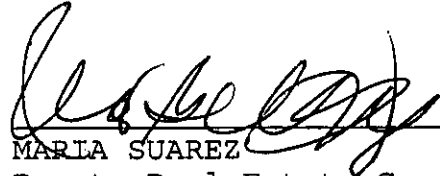
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent, YVONNE F. GOYTIA, 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 18th day of August, 2003.



MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Yvonne F. Goytia
Frank Buda, Esq.
Sher-Platter, Inc.
Sacto.
OAH
JP

Sacto
Plater

FILED
MAR 10 2003
DEPARTMENT OF REAL ESTATE

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By 

In the Matter of the Accusation of

YVONNE F. GOYTIA

}

Case No. H-29413 LA

OAH No. L-2002050691

Respondent

**CONTINUED
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, 320 West Fourth Street, Suite 630, Los Angeles, California 90013, on Wednesday, September 17, 2003, at the hour of 9:00 a.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.

DEPARTMENT OF REAL ESTATE

By 
DARLENE AVERETTA, Counsel

Dated: March 10, 2003.

cc: Y. F. Goytia/F. M. Buda, Esq.
Sher-Plater Inc./Sacto./OAH

Sacto/JP

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
NOV 26 2002
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

K. Kreber

YVONNE F. GOYTIA,

}

Case No. H-29413 LA

OAH No. L-2002050691

Respondent

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, 320 West Fourth Street, Ste. 630, Los Angeles, CA on March 3, 2003, at the hour of 9:00 a.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.

DEPARTMENT OF REAL ESTATE

Dated: November 26, 2002

By *E. M. Lennan*
ELLIOTT MAC LENNAN, Counsel

cc: Yvonne F. Goytia
Frank M. Buda, Esq.
Sacto/OAH/JP

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Day

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
SEP 12 2002
DEPARTMENT OF REAL ESTATE

* * * * *

In the Matter of the Accusation)
YVONNE F. GOYTIA,)
Respondent(s).)

Case No. H-29413 LA
OAH No. L-2002050691

James B. Peel

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, 6th Floor, Suite 630, Los Angeles, California, on OCTOBER 29, 2002, at the hour of 9:00 a.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 upon you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of 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: September 12, 2002

DEPARTMENT OF REAL ESTATE

By: *James R. Peel*
JAMES R. PEEL, Counsel

cc: Yvonne F. Goytia
Sher-Platter Inc.
Frank M. Buda, Esq.
Sacto.
OAH

*Sacto
Platter*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN 13 2002
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation) Case No. H-29413 LA
) OAH No. L-2002050691
YVONNE F. GOYTIA,)
)
)
Respondent(s).)

James B. Peel

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, 6th Floor, Suite 630, Los Angeles, California, on AUGUST 26, 2002, at the hour of 9:00 a.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 upon you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of 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: June 13, 2002

DEPARTMENT OF REAL ESTATE

By: *James R. Peel*
JAMES R. PEEL, Counsel

cc: Yvonne F. Goytia
Sher-Platter Inc.
Sacto.
OAH

*Sacto
last*

FILED
MAR 7 2002
DEPARTMENT OF REAL ESTATE

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

Lana B. Owen

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-29413 LA
12 YVONNE F. GOYTIA,) A C C U S A T I O N
13 Respondent.)
14

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against YVONNE F. GOYTIA, alleges as follows:

18 I

19 The Complainant, Maria Suarez, a Deputy Real Estate
20 Commissioner of the State of California, makes this Accusation in
21 her official capacity.

22 II

23 YVONNE F. GOYTIA (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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III

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California (hereinafter "Department") as a real estate salesperson.

IV

On or about January 26, 1999, Respondent executed a residential purchase agreement and receipt for deposit to purchase property located at 12413 Redrock Road, Victorville, California ("Property").

V

During the course of the purchase, Respondent falsely represented to the Federal National Mortgage Association and Mortgage One Corporation the true identity of the parties applying for a loan, and made false statements of her wealth, identity and financial character.

VI

Specifically Respondent used the name of her minor son and falsified loan documents to facilitate a fraudulent loan transaction in the amount of \$149,499.

VII

On or about February 1, 1999, escrow was opened at the Escrow Junction, Inc. as escrow #26505GL. Escrow closed on March 16, 1999.

VIII

Respondent obtained money and property, fraudulently, knowingly and intentionally.

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IX

Respondent's conduct, acts and omissions, as set forth above, is cause under Section 10177(j) of the Business and Professions Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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 licenses and license rights of Respondent YVONNE F. GOYTIA, 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 6th day of March, 2002.



MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Yvonne F. Goytia
Sher-Platter Inc.
Sacto.
Maria Suarez
JP

lbo