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**FILED**  
JAN - 5 2007  
DEPARTMENT OF REAL ESTATE

By *K. Niederholt*

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of )	NO. H-30022 LA
MARTINE ZOLLER,	)
Respondent.	)

ORDER GRANTING UNRESTRICTED LICENSE

On May 16 2003, a Decision was rendered herein, denying Respondent's application for a real estate salesperson license, 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 June 4, 2003. Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On August 24, 2005, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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

8  
9 NOW, THEREFORE, IT IS ORDERED that Respondent's  
10 petition for removal of restrictions is granted and that a  
11 real estate salesperson license be issued to Respondent if  
12 Respondent satisfies the following conditions within nine (9)  
13 months from the date of this Order:

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

16 2. Submittal of having, since the most recent  
17 issuance of an original or renewal real estate license,  
18 taken and successfully completed the continuing education  
19 requirements of Article 2.5 of Chapter 3 of the Real Estate  
20 Law for renewal of a real estate license.

21 This Order shall be effective immediately.

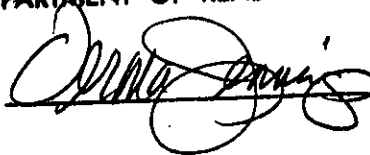
22 Dated: 12/28/06

23 JEFF DAVI  
24 Real Estate Commissioner

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27 cc: Martine Zoller  
816 N. Westmount Drive, # 201  
Los Angeles, CA 90069

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FILED  
MAY 29 2003  
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of	)	No. H-30022 LA
MARTINE ZOLLER,	)	STIPULATION AND
Respondent.	)	WAIVER

It is hereby stipulated by and between MARTINE ZOLLER (hereinafter "Respondent") and Respondent's attorney, Barry Zoller, Esq., and the Complainant, acting by and through JAMES R. PEEL, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on March 20, 2003, in this matter:

A. Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate in connection with Respondent's application for a real estate salesperson license. Respondent understands that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty

1 and truthfulness and to prove other allegations therein, or that  
2 she may in her discretion waive the hearing and grant Respondent  
3 a restricted real estate salesperson license based upon this  
4 Stipulation and Waiver. Respondent also understands that by  
5 filing the Statement of Issues in this matter the Real Estate  
6 Commissioner is shifting the burden to Respondent to make a  
7 satisfactory showing that Respondent meet all the requirements  
8 for issuance of a real estate salesperson license. Respondent  
9 further understands that by entering into this stipulation and  
10 waiver Respondent will be stipulating that the Real Estate  
11 Commissioner has found that Respondent has failed to make such  
12 a showing, thereby justifying the denial of the issuance to  
13 Respondent of an unrestricted real estate salesperson license.

14 B. Respondent hereby admits that the allegations of  
15 the Statement of Issues filed against Respondent are true and  
16 correct and requests that the Real Estate Commissioner in her  
17 discretion issue a restricted real estate salesperson license to  
18 Respondent under the authority of Section 10156.5 of the Business  
19 and Professions Code. Respondent understands that any such  
20 restricted license will be issued subject to and be limited by  
21 Section 10153.4 of the Business and Professions Code.

22 C. Respondent is aware that by signing this  
23 Stipulation and Waiver, Respondent is waiving Respondent's right  
24 to a hearing and the opportunity to present evidence at the  
25 hearing to establish Respondent's rehabilitation in order to  
26 obtain an unrestricted real estate salesperson license if this  
27 Stipulation and Waiver is accepted by the Real Estate

1 Commissioner. However, Respondent is not waiving Respondent's  
2 right to a hearing and to further proceedings to obtain a  
3 restricted or unrestricted license if this Stipulation and Waiver  
4 is not accepted by the Commissioner. .

5 D. Respondent further understands that the following  
6 conditions, limitations, and restrictions will attach to a  
7 restricted license issued by the Department of Real Estate  
8 pursuant hereto:

9 1. The license shall not confer any property right in  
10 the privileges to be exercised including the right of renewal,  
11 and the Real Estate Commissioner may by appropriate order suspend  
12 the right to exercise any privileges granted under this  
13 restricted license in the event of:

14 a. The conviction of Respondent (including a plea of  
15 nolo contendere) to a crime which bears a substantial  
16 relationship to Respondent's fitness or capacity as a real estate  
17 licensee; or

18 b. The receipt of evidence that Respondent has  
19 violated provisions of the California Real Estate Law, the  
20 Subdivided Lands Law, Regulations of the Real Estate  
21 Commissioner, or conditions attaching to this restricted license.

22 2. Respondent shall not be eligible to apply for the  
23 issuance of an unrestricted real estate license nor the removal  
24 of any of the conditions, limitations or restrictions attaching  
25 to the restricted license until two years have elapsed from the  
26 date of issuance of the restricted license to Respondent.

27

1                   3. With the application for license, or with the  
2 application for transfer to a new employing broker, Respondent  
3 shall submit a statement signed by the prospective employing  
4 broker on a form approved by the Department of Real Estate  
5 wherein the employing broker shall certify as follows:

6                   a. That broker has read the Statement of Issues which  
7 is the basis for the issuance of the restricted license; and

8                   b. That broker will carefully review all transaction  
9 documents prepared by the restricted licensee and otherwise  
10 exercise close supervision over the licensee's performance of  
11 acts for which a license is required.

12                   4. Respondent's restricted real estate salesperson  
13 license is issued subject to the requirements of Section 10153.4  
14 of the Business and Professions Code, to wit: Respondent is  
15 required, within eighteen (18) months of the issuance of the  
16 restricted license, to submit evidence satisfactory to the  
17 Commissioner of successful completion, at an accredited  
18 institution, of two of the courses listed in Section 10153.2,  
19 other than real estate principles, advanced legal aspects of  
20 real estate, advanced real estate finance, or advanced real  
21 estate appraisal. If Respondent fails to timely present to the  
22 Department satisfactory evidence of successful completion of  
23 the two required courses, the restricted license shall be  
24 automatically suspended effective eighteen (18) months after  
25 the date of its issuance. Said suspension shall not be lifted  
26 unless, prior to the expiration of the restricted license,  
27 Respondent has submitted the required evidence of course

1 completion and the Commissioner has given written notice to  
2 Respondent of the lifting of the suspension.

3 5. Pursuant to Section 10154, if Respondent has not  
4 satisfied the requirements for an unqualified license under  
5 Section 10153.4, Respondent shall not be entitled to renew the  
6 restricted license, and shall not be entitled to the issuance of  
7 another license which is subject to Section 10153.4 until four  
8 years after the date of the issuance of the preceding restricted  
9 license.

10 May 6, 2003  
11 DATED

James R. Peel  
JAMES R. PEEL, Counsel  
Department of Real Estate

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2 I have read the Stipulation and Waiver, have

3 discussed it with my counsel, and its terms are understood by

4 me and are agreeable and acceptable to me. I understand that

5 I am waiving rights given to me by the California

6 Administrative Procedure Act (including but not limited to

7 Sections 11506, 11508, 11509, and 11513 of the Government

8 Code), and I willingly, intelligently, and voluntarily waive

9 those rights, including the right of a hearing on the Statement

10 of Issues at which I would have the right to cross-examine

11 witnesses against me and to present evidence in defense and

12 mitigation of the charges.

13 Respondent can signify acceptance and approval of the

14 terms and conditions of this Stipulation and Wavier by faxing a

15 copy of the signature page, as actually signed by Respondent,

16 to the Department at fax number (213) 576-6917. Respondent

17 agrees, acknowledges and understands that by electronically

18 sending to the Department a fax copy of his actual signature as

19 it appears on the Stipulation and Waiver, that receipt of the

20 faxed copy by the Department shall be as binding on Respondent

21 as if the Department had received the original signed

22 Stipulation and Waiver.

23

24 4/26/03

25 DATED

26 Martine Zoller

27 MARTINE ZOLLER  
Respondent



I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

DATED

5/1/03

*Barry Zoller*

BARRY ZOLLER, ESQ.  
Attorney for Respondent

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

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent MARTINE ZOLLER if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED

May 16, 2003


PAULA REDDISH ZENNEMANN  
Real Estate Commissioner

*Paula Reddish Zennemann*

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

**FILED**  
MAR 20 2003  
DEPARTMENT OF REAL ESTATE  
By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of ) No. H-30022 LA  
)  
MARTINE ZOLLER, ) STATEMENT OF ISSUES  
)  
Respondent. )

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against MARTINE ZOLLER (Respondent) is informed and alleges in her official capacity as follows:

I

On or about September 23, 2002, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license with the knowledge and understanding that any license issued as a result of that application would be subject to the conditions of Section 10153.4 of the California Business and Professions Code.

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1 II

2 On or about February 7, 2001, in the Municipal Court,  
3 Central Arraignment Judicial District, County of Los Angeles,  
4 State of California, Respondent was convicted of violating Penal  
5 Code Section 487(A) (Grand Theft), a crime involving moral  
6 turpitude and substantially related to the qualifications,  
7 functions and duties of a real estate licensee.

8 III

9 The matter described in Paragraph II constitutes cause  
10 for denial of Respondent's application for a real estate license  
11 under Sections 480(a) and 10177(b) of the Business and  
12 Professions Code.

13  
14 The Statement of Issues is brought under the provisions  
15 of Section 10100, Division 4 of the Business and Professions Code  
16 of the State of California and Sections 11500 through 11528 of  
17 the Government Code.

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1                   WHEREFORE, the Complainant prays that the above-  
2 entitled matter be set for hearing and, upon proof of the charges  
3 contained herein, that the Commissioner refuse to authorize the  
4 issuance of, and deny the issuance of, a real estate salesperson  
5 license to Respondent MARTINE ZOLLER and for such other and  
6 further relief as may be proper in the premises.

7 Dated at Los Angeles, California,  
8 this 18<sup>th</sup> day of March, 2003.

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12 MARIA SUAREZ  
13 Deputy Real Estate Commissioner  
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24 cc: Martine Zoller  
25       Maria Suarez  
26       Sacto.  
27       ODA