

*Santa Ana*

**FILED**  
JUL - 2 2007  
DEPARTMENT OF REAL ESTATE

*[Handwritten signature]*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of )	NO. H-30074 LA
JEFFREY G. MIKALSON,	)
Respondent.	)

ORDER GRANTING UNRESTRICTED LICENSE

On July 3, 2003, a Decision was rendered herein denying the Respondent's application for a real estate 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 August 29, 2003. Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

///  
///

1                   On May 25, 2006, Respondent petitioned for the  
2 removal of restrictions attaching to his real estate  
3 salesperson license.

4                   I have considered the petition of Respondent and  
5 the evidence submitted in support thereof. Respondent has  
6 demonstrated to my satisfaction that Respondent meets the  
7 requirements of law for the issuance to Respondent of an  
8 unrestricted real estate salesperson license and that it  
9 would not be against the public interest to issue said  
10 license to Respondent.  
11

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

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

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

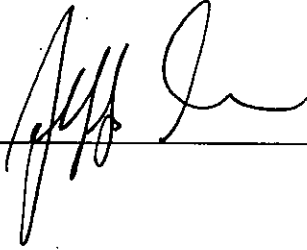
1                   2. Submittal of evidence of having since the most  
2 recent issuance of an original or renewal real estate license,  
3 taken and successfully completed the continuing education  
4 requirements of Article 2.5 of Chapter 3 of the Real Estate  
5 Law for renewal of a real estate license.  
6

7                   This Order shall be effective immediately.

8                   Dated: \_\_\_\_\_

  6-8-07

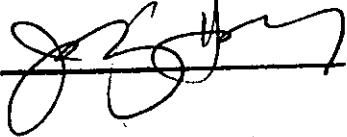
9                                       JEFF DAVI  
10                                      Real Estate Commissioner

11                                        
12                                      \_\_\_\_\_  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

26 cc: Jeffrey Mikalson  
27       P.O. Box 492208  
      Los Angeles, CA 90049

**FILED**  
JUL 14 2003

DEPARTMENT OF REAL ESTATE

By 

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

*In the Matter of the Application of*

JEFFREY G. MIKALSON,

Respondent

)  
) No. H- 30074 LA  
)  
) L-2003050425  
)  
) **STIPULATION AND**  
) **WAIVER**  
)  
)  
)  
)

I, JEFFREY G. MIKALSON, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on April 17, 2003, in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that she may in her discretion waive the hearing and grant me a restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
2 issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and  
4 request that the Real Estate Commissioner in her discretion issue a restricted real estate salesperson license  
5 to me under the authority of Section 10156.5 of the Business and Professions Code.

6 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the  
7 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an  
8 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate  
9 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a  
10 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

11 I further understand that the following conditions, limitations, and restrictions will attach to a  
12 restricted license issued by the Department of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised including the  
14 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
15 to exercise any privileges granted under this restricted license in the event of:
  - 16 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a  
17 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - 18 b. The receipt of evidence that respondent has violated provisions of the California Real  
19 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or  
20 conditions attaching to this restricted license.
- 21 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
22 removal of any of the conditions, limitations, or restrictions attaching to the restricted license  
23 until two years have elapsed from the date of issuance of the restricted license to respondent.
- 24 3. With the application for license, or with the application for transfer to a new employing broker, I  
25 shall submit a statement signed by the prospective employing broker on a form approved by the  
26 Department of Real Estate wherein the employing broker shall certify as follows:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

- a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
- b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

DATED this 21<sup>st</sup> day of June, 2003.

Jeffrey G. Mikalson  
Respondent Jeffrey G. Mikalson

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 JEFFREY G. MIKALSON 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.

DATED this 8<sup>th</sup> day of July, 2003.

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner  
Paula Reddish Zinnemann

5/21/0

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Application of ) Case No. H-30074 LA  
)  
JEFFREY G. MIKALSON, ) OAH No. L-2003050425  
)  
\_\_\_\_\_) Respondent

FILED  
MAY 23 2003

DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

By 

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, Suite 630, Los Angeles, CA 90013-1105 on WEDNESDAY, JULY 16, 2003, at the hour of 10:00 A.M., or as soon thereafter as the matter can be heard, upon the Statement of Issues 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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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: May 23, 2003

By

  
\_\_\_\_\_  
MARY E. WORK, Counsel

cc: Jeffrey G. Mikalson  
Rodeo Realty Inc.  
Sacto.  
OAH

5/27/0

MARY E. WORK, Counsel  
State Bar No. 175887  
Department of Real Estate  
320 W. 4<sup>th</sup> Street, Suite 350  
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982  
-Direct- (213) 576-6916

**FILED**  
APR 17 2003

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of )	
JEFFREY G. MIKALSON,	NO. H- 30074 LA
Respondent.	<u>STATEMENT OF ISSUES</u>

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

I

On or about October 17, 2002, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license.

II

On or about March 19, 2001, in the Municipal Court of Santa Monica Judicial District, County of Los Angeles, State of California, in case number 1SM00652, Respondent, upon his plea of



1 nolo contendere was convicted of violating Penal Code Section  
2 537(a) (Unlawful Obtain Food Without Payment), a misdemeanor  
3 crime of moral turpitude that is substantially related under  
4 Section 2910, Title 10, Chapter 6, California Code of Regulations  
5 to the qualifications, functions or duties of a real estate  
6 licensee.

7 III

8 The crime for which Respondent was convicted, as  
9 described above in Paragraphs II constitutes cause for denial of  
10 his application for a real estate license under Section  
11 475(a)(2), 480(a)(1), and 10177(b) of the California Business  
12 and Professions Code.

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

17 ////  
18 ////  
19 ////  
20 ////  
21 ////  
22 ////  
23 ////  
24 ////  
25 ////  
26 ////  
27 ////

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

7 Dated at Los Angeles, California

8 this *15th* day of April, 2003.

9  
10   
11 \_\_\_\_\_  
12 MARIA SUAREZ  
13 DEPUTY REAL ESTATE COMMISSIONER

14 cc: Jeffrey G. Mikalson  
15 Paramount Rodeo Realty/Sydney Leibovitch  
16 Maria Suarez  
17 SACTO  
18 EE  
19  
20  
21  
22  
23  
24  
25  
26  
27