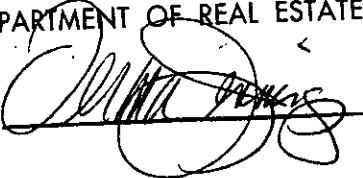


1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982
5
6
7

FILED
DEC 15 2006
DEPARTMENT OF REAL ESTATE
By 

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Application of) No. H-30357 LA
12 CHRISTOPHER WOLF BASCHUNG,) L-2003 100 186
13 Respondent.) STIPULATION AND WAIVER
14

15 It is hereby stipulated by and between CHRISTOPHER
16 WOLF BASCHUNG (hereinafter "Respondent") and Respondents'
17 attorneys, Rose Pothier and Mary E. Work, and the Complainant,
18 acting by and through James R. Peel, Counsel for the Department
19 of Real Estate, as follows for the purpose of settling and
20 disposing of the Second Amended Statement of Issues filed May 9,
21 2006, in this matter:

22 Respondent acknowledges that Respondent has received
23 and read the Second Amended Statement of Issues and the Statement
24 to Respondent filed by the Department of Real Estate in
25 connection with Respondent's application for a real estate
26 salesperson license. Respondent understands that the Real Estate
27 Commissioner may hold a hearing on this Statement of Issues for

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

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

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

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

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

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

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

21 b. The receipt of evidence that Respondent has
22 violated provisions of the California Real
23 Estate Law, the Subdivided Lands Law,
24 Regulations of the Real Estate Commissioner, or
25 conditions attaching to this restricted
26 license.

27

1 2. Respondent shall not be eligible to apply for the
2 issuance of an unrestricted real estate license nor
3 the removal of any of the conditions, limitations
4 or restrictions attaching to the restricted license
5 until two years have elapsed from the date of
6 issuance of the restricted license to Respondent.

7 3. With the application for license, or with the
8 application for transfer to a new employing broker,
9 Respondent shall submit a statement signed by the
10 prospective employing broker on a form approved by
11 the Department of Real Estate wherein the employing
12 broker shall certify as follows:

13 a. That broker has read the Statement of Issues
14 which is the basis for the issuance of the
15 restricted license; and

16 b. That broker will carefully review all
17 transaction documents prepared by the
18 restricted licensee and otherwise exercise
19 close supervision over the licensee's
20 performance of acts for which a license is
21 required.

22 4. Respondent's restricted real estate salesperson
23 license is issued subject to the requirements of
24 Section 10153.4 of the Business and Professions
25 Code, to wit: Respondent is required, within
26 eighteen (18) months of the issuance of the
27 restricted license, to submit evidence satisfactory

1 to the Commissioner of successful completion, at an
2 accredited institution, of a course in real estate
3 practices and one of the courses listed in Section
4 10153.2, other than real estate principles,
5 advanced legal aspects of real estate, advanced
6 real estate finance, or advanced real estate
7 appraisal. If Respondent fails to timely present to
8 the Department satisfactory evidence of successful
9 completion of the two required courses, the
10 restricted license shall be automatically suspended
11 effective eighteen (18) months after the date of
12 its issuance. Said suspension shall not be lifted
13 unless, prior to the expiration of the restricted
14 license, Respondent has submitted the required
15 evidence of course completion and the Commissioner
16 has given written notice to Respondent of the
17 lifting of the suspension.

18 5. Pursuant to Section 10154, if Respondent has not
19 satisfied the requirements for an unqualified
20 licensed under Section 10153.4, Respondent shall
21 not be entitled to renew the restricted license,
22 and shall not be entitled to the issuance of
23 another license which is subject to Section 10153.4
24 until four years after the date of the issuance of
25 the preceding restricted license.

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Nov. 2 2006
Dated

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

I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Department at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Waiver.

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9.15.06

Dated



CHRISTOPHER WOLF BASCHUNG
Respondent

We have reviewed the Stipulation and Waiver as to form and content and have advised our client accordingly.

Dated

ROSE POTHIER
Attorney for Respondent

Dated

MARY E. WORK
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 CHRISTOPHER WOLF BASCHUNG if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license

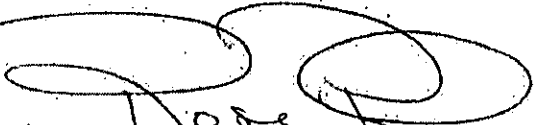
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9.15.06
Dated



CHRISTOPHER WOLF BASCHUNG
Respondent

We have reviewed the Stipulation and Waiver as to form and content and have advised our client accordingly.

9/18/06
Dated


ROSE POTHIER
Attorney for Respondent

9/25/06
Dated


MARY E. WORK
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 CHRISTOPHER WOLF BASCHUNG if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license

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Dated

CHRISTOPHER WOLF BASCHUNG
Respondent

We have reviewed the Stipulation and Waiver as to form and content and have advised our client accordingly.

Dated

ROSE POTHIER
Attorney for Respondent

Dated

MARY E. WORK
Attorney for Respondent

* * *

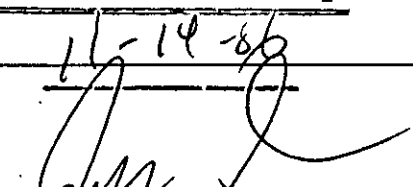
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public 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 CHRISTOPHER WOLF BASCHUNG if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license

1 shall be limited, conditioned and restricted as specified in the
2 foregoing Stipulation and Waiver.

3 This Order is effective immediately.

4 IT IS SO ORDERED

11-14-86


JEFF DAVI
Real Estate Commissioner

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FILED
NOV 23 2004
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)
)
CHRISTOPHER WOLF BASCHUNG,)
)
Respondent(s))

Case No. H-30357 LA
L-2003100186
By: James B. Olau

NOTICE OF CONTINUED HEARING ON APPLICATION

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, on JUNE 16, 2005 at the hour of 9:00 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 for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: November 23, 2004

DEPARTMENT OF REAL ESTATE

By: Chris Leong
CHRIS LEONG, Counsel

cc: Christopher Wolf Baschung
Rose Pothier, Esq.
Horizon Real Estate Management, Inc.
Sacto.
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FILED
OCT - 6 2004

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)
CHRISTOPHER WOLF BASCHUNG,)
Respondent(s))

Case No. H-30357 LA
L-2003100186
By *Anna B. Olsen*

NOTICE OF CONTINUED HEARING ON APPLICATION

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, on **FEBRUARY 25 & 28, 2005** at the hour of **9:00 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 for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: October 6, 2004

DEPARTMENT OF REAL ESTATE

By: *Chris Leong*
CHRIS LEONG, Counsel

cc: Christopher Wolf Baschung
Rose Pothier, Esq.
Horizon Real Estate Management, Inc.
Sacto.
OAH

*Sacto
file*

1. KELVIN K. LEE, Real Estate Counsel (SBN 152867)
2. Department of Real Estate
3. 320 West 4th Street, Suite 350
4. Los Angeles, California 90013-1105

5. Telephone: (213) 576-6982
6. (Direct) (213) 576-6905

FILED
MAY - 9 2006
DEPARTMENT OF REAL ESTATE

By *Jana B. Dume*

8. BEFORE THE DEPARTMENT OF REAL ESTATE

9. STATE OF CALIFORNIA

10. * * *

11.
12. In the Matter of the Application of) NO. H-30357 LA
13. CHRISTOPHER WOLF BASCHUNG,) L-2003100186
14. Respondent.) SECOND AMENDED
15.) STATEMENT OF ISSUES

16. This Second Amended Statement of Issues supersedes the
17. First Amended Statement of Issues filed on July 15, 2004.

18. The Complainant, Maria Suarez, a Deputy Real Estate
19. Commissioner of the State of California, for cause of Statement
20. of Issues against CHRISTOPHER WOLF BASCHUNG, ("Respondent"), is
21. informed and alleges as follows:

22. I

23. Respondent made application to the Department of Real
24. Estate of the State of California for a real estate salesperson
25. license on or about January 15, 2003, with the knowledge and
26. understanding that any license issued as a result of that
27.

1 application would be subject to the conditions of Section
2 10153.4 of the Business and Professions Code.

3 II

4 Complainant, Maria Suarez, a Deputy Real Estate
5 Commissioner of the State of California, makes this Statement of
6 Issues in her official capacity.

7 III

8 (CRIMINAL CONVICTIONS)

9 On or about March 3, 1999, in the Supreme Court of the
10 State of New York, Case No. 1451-1999, Respondent CHRISTOPHER
11 WOLF BASCHUNG, was convicted of one (1) count of violating
12 Section P. L. 120.05(4) (Second Degree Assault). This crime is a
13 felony and a crime involving moral turpitude which is
14 substantially related under Title 10, Chapter 6, Section 2910,
15 California Code of Regulations, and/or to the qualifications,
16 functions or duties of a real estate licensee.

17 IV

18 On or about January 16, 2003 in the Municipal Court
19 for the County of Los Angeles, Metro Branch Judicial District,
20 State of California, in Case No. 2MT10984, Respondent
21 CHRISTOPHER WOLF BASCHUNG, was convicted of one (1) count of
22 violating Vehicle Code 23152 subdivision (b), (Driving With a
23 Blood Alcohol Level of 0.08 Percent or More). This crime is a
24 misdemeanor and a crime involving moral turpitude which is
25 substantially related under Title 10, Chapter 6, Section 2910,
26 California Code of Regulations, and/or to the qualifications,
27

1 functions or duties of a real estate licensee.

2 V

3 On or about March 19, 2004 in the Superior Court
4 for the County of Los Angeles, State of California, in Case No.
5 3MTO5933, Respondent CHRISTOPHER WOLF BASCHUNG, was convicted of
6 one (1) count of violating Vehicle Code 23152 subdivision (b),
7 (Driving With a Blood Alcohol Level of 0.08 Percent or More).
8 This crime is a misdemeanor and a crime involving moral
9 turpitude which is substantially related under Title 10, Chapter
10 6, Section 2910, California Code of Regulations, and/or to the
11 qualifications, functions or duties of a real estate licensee.

12 VI

13 The crimes of which Respondent was convicted, as
14 alleged herein above in Paragraphs III, IV, and V, constitute
15 cause for denial of Respondent's application for a real estate
16 license under Code Sections 475(a)(2), 480(a)(1) and/or
17 10177(b).

18 The Statement of Issues is brought under the
19 provisions of Section 10100, Division 4 of the Business and
20 Profession Code of the State of California and Sections 11500
21 through 11528 of the Government Code.

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1 WHEREFORE, Complainant prays that the above entitled
2 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, CHRISTOPHER WOLF BASCHUNG, and for such
6 other and further relief as may be proper under other provisions
7 of law.

8 Dated at Los Angeles, California

9 this 9th day of May, 2006.

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12 Maria Suarez
13 Deputy Real Estate Commissioner
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24 cc: CHRISTOPHER WOLF BASCHUNG
25 Horizon Real Estate Management, Inc./ Jeffrey Brandon
26 Lloyd
27 Maria Suarez
Sacto.
Rose Pothier, Esq.
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Info Jan

FILED
JUL 15 2004
DEPARTMENT OF REAL ESTATE

1 CHRIS LEONG, Counsel
State Bar No. 141079
2 Department of Real Estate
320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982
-or- (213) 576-6910 (Direct)
5
6
7

By *Laura B. Iron*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	
CHRISTOPHER WOLF BASCHUNG,)	NO. H-30357 LA
Respondent.)	L-2003100186
	<u>FIRST AMENDED</u>
	<u>STATEMENT OF ISSUES</u>

14 This First Amended Statement of Issues supersedes the
15 Statement of Issues filed on September 25, 2003.

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against CHRISTOPHER WOLF BASCHUNG ("Respondent") alleges as
19 follows:

20 I

21 Respondent made application to the Department of Real
22 Estate of the State of California for a real estate salesperson
23 license on or about January 15, 2003, with the knowledge and
24 understanding that any license issued as a result of said
25 application would be subject to the conditions of Code Section
26 10153.4.
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II

Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in her official capacity.

CONVICTIONS

III

On or about March 3, 1999, in the Supreme Court of the State of New York, County of New York, Case No. 1451-1999, Respondent was convicted of violating Section P. L. 120.05(4) (Assault second degree), a felony and a crime involving moral turpitude which is substantially related to the qualifications, functions and duties of a real estate licensee.

IV

On or about July 5, 2001, in the Superior Court, South Division, Taft Branch of the State of California, In and for the County of Kern, Case No. J241481, Respondent was convicted of violating Section 22356(b) of the California Vehicle Code (VC) (Traffic violation speeding), a misdemeanor and a crime which is substantially related to the qualifications, functions and duties of a real estate licensee.

V

On or about January 16, 2003, in the Municipal Court of Los Angeles, Metro Branch Judicial District, County of Los Angeles, State of California, Case No. 2MT10984, Respondent was convicted of violating Section 23152(b) VC (Drive with .08 or more blood alcohol), a misdemeanor and a crime which is

1 substantially related to the qualifications, functions and duties
2 of a real estate licensee.

3 VI

4 On or about March-19, 2004, in the Superior Court of
5 California, County of Los Angeles, Case No. 3MT05933, Respondent
6 was convicted of violating Section 23152(b) VC (Drive with .08 or
7 more blood alcohol), a misdemeanor and a crime which is
8 substantially related to the qualifications, functions and duties
9 of a real estate licensee.

10 FAILURE TO REVEAL

11 VII

12 On his application, in response to Question 25, "Have
13 you ever been convicted of any violation of law?", Respondent
14 answered "Yes". On said application, in response to Question 27,
15 "Detailed explanation of items 24-26. Complete one line for each
16 violation...", Respondent failed to reveal the conviction stated
17 in Paragraph IV above.

18 VIII

19 Respondent's convictions and failure to reveal the
20 conviction, as set forth above, is cause to deny Respondent's
21 real estate license application pursuant to Code Sections 480(a),
22 480(c), 10177(a) and 10177(b).

23 These proceedings are brought under the provisions of
24 Section 10100, Division 4 of the Business and Professions Code of
25 the State of California and Sections 11500 through 11528 of the
26 Government Code.

27 ///

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

8 Dated at Los Angeles, California
9 this 15th day of July, 2004.

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12 Deputy Real Estate Commissioner
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24 cc: Christopher Wolf Baschung
25 Horizon Real Estate Management, Inc./Jeffrey Brandon Lloyd
26 Maria Suarez
27 Sacto.
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Rose Pothier, Esq.
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Sacto.

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FILED
MAR 22 2004

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)
CHRISTOPHER WOLF BASCHUNG,)
Respondent(s))

Case No. H-30357 LA
L-2003100186

Laura B. Irons

NOTICE OF HEARING ON APPLICATION

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, on SEPTEMBER 7, 2004, at the hour of 9:00 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 for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: March 22, 2004

DEPARTMENT OF REAL ESTATE

By: *Chris Leong*
CHRIS LEONG, Counsel

cc: Christopher Wolf Baschung
Rose Pothier, Esq.
Horizon Real Estate Management, Inc.
Sacto.
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FILED
NOV 4 2003
DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By Laura B. Anne

In the Matter of the Application of) Case No. H-30357 LA
) L-2003100186
CHRISTOPHER WOLF BASCHUNG,)
)
Respondent(s))

NOTICE OF HEARING ON APPLICATION

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, on MARCH 25, 2004, at the hour of 9:00 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 for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: November 4, 2003

DEPARTMENT OF REAL ESTATE

By: Chris Leong
CHRIS LEONG, Counsel

cc: Christopher Wolf Baschung
Rose Pothier, Esq.
Horizon Real Estate Management, Inc.
Sacto.
OAH

Handwritten initials/signature in top left corner.

1 CHRIS LEONG, Counsel
2 State Bar No. 141079
3 Department of Real Estate
320 West Fourth Street, Suite 350
4 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982
5 -or- (213) 576-6910 (Direct)

FILED
SEP 25 2003
DEPARTMENT OF REAL ESTATE

Handwritten signature: Laura B. Ann

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of))	NO. H- 30357 LA
12 CHRISTOPHER WOLF BASCHUNG,))	
13 Respondent.))	<u>STATEMENT OF ISSUES</u>

14 The Complainant, Maria Suarez, a Deputy Real Estate
15 Commissioner of the State of California, for Statement of Issues
16 against CHRISTOPHER WOLF BASCHUNG ("Respondent") alleges as
17 follows:

18 I

19 Respondent made application to the Department of Real
20 Estate of the State of California for a real estate salesperson
21 license on or about January 15, 2003, with the knowledge and
22 understanding that any license issued as a result of said
23 application would be subject to the conditions of Code Section
24 10153.4.

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II

Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in her official capacity.

CONVICTIONS

III

On or about March 3, 1999, in the Supreme Court of the State of New York, County of New York, Case No. 1451-1999, Respondent was convicted of violating Section P. L. 120.05(4) (Assault second degree), a felony and a crime involving moral turpitude which is substantially related to the qualifications, functions and duties of a real estate licensee.

IV

On or about July 5, 2001, in the Superior Court, South Division, Taft Branch of the State of California, In and for the County of Kern, Case No. J241481, Respondent was convicted of violating Section 22356(b) of the California Vehicle Code (VC) (Traffic violation speeding), a misdemeanor and a crime which is substantially related to the qualifications, functions and duties of a real estate licensee.

V

On or about January 16, 2003, in the Municipal Court of Los Angeles, Metro Branch Judicial District, County of Los Angeles, State of California, Case No. 2MT10984, Respondent was convicted of violating Section 23152(b) VC (Drive with .08 or more blood alcohol), a misdemeanor and a crime which is

1 substantially related to the qualifications, functions and duties
2 of a real estate licensee.

3 FAILURE TO REVEAL

4 VI

5 On said application, in response to Question 25, "Have
6 you ever been convicted of any violation of law?", Respondent
7 answered "Yes". On said application, in response to Question 27,
8 "Detailed explanation of items 24-26. Complete one line for each
9 violation...", Respondent failed to reveal the conviction stated
10 in Paragraph IV above.

11 V

12 Respondent's convictions and failure to reveal the
13 conviction, as set forth above, is cause to deny Respondent's
14 real estate license application pursuant to Code Sections 480(a),
15 480(c), 10177(a) and 10177(b).

16 These proceedings are brought under the provisions of
17 Section 10100, Division 4 of the Business and Professions Code of
18 the State of California and Sections 11500 through 11528 of the
19 Government Code.

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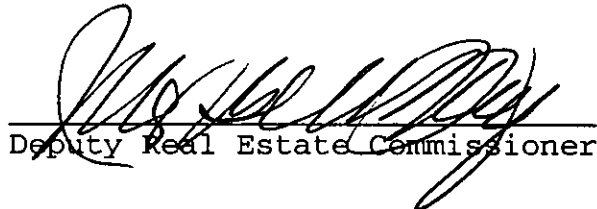
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1 WHEREFORE, the Complainant prays that the above-
2 entitled matter be set for hearing and, upon proof of the charges
3 contained herein, that the Commissioner refuse to authorize the
4 issuance of, and deny the issuance of, a real estate salesperson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

7 Dated at Los Angeles, California

September 30, 2023.

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11 Deputy Real Estate Commissioner
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23

24 cc: Christopher Wolf Baschung
25 Horizon Real Estate Management, Inc./Jeffrey Brandon Lloyd
26 Maria Suarez
27 Sacto.
EE