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FILED
FEB 27 2010

DEPARTMENT OF REAL ESTATE
By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-30430 LA
)	
DEAN ALLEN THOMAS,)	
)	
Respondent.)	
)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 22, 2004, a Decision was rendered herein revoking the real estate salesperson license of Respondent, 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 and Respondent has operated as a restricted license.

On or about June 16, 2008, 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

1 salesperson license and that it would not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
4 reinstatement is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following conditions within twelve (12) months from the date of this
6

7 Order:

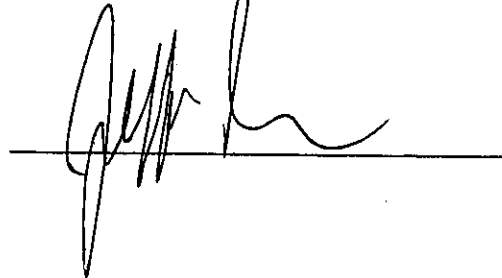
- 8 1. Submittal of a completed application and payment of the fee for a real estate
9 salesperson license.
10 2. Submittal of evidence of having, since the most recent issuance of an original
11 or renewal real estate license, taken and successfully completed the continuing education
12 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a license.
13

14 This Order shall be effective immediately.

15 Dated: 2/2/2010

16 JEFF DAVI
17 Real Estate Commissioner

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1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013

4 (213) 576-6982
5 (213) 576-6914

FILED
JUL - 2 2004
DEPARTMENT OF REAL ESTATE

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) DRE No. H-30430 LA
13 DEAN ALLEN THOMAS,) OAH No. L-2003110428
14) STIPULATION AND AGREEMENT
15)
16 Respondent.)

17 It is hereby stipulated by and between DEAN ALLEN
18 THOMAS, Respondent, represented in this matter by Lawrence H.
19 Lackman, Esq., and the Complainant, acting by and through
20 Martha J. Rosett, Counsel for the Department of Real Estate, as
21 follows for the purpose of settling and disposing of the
22 Accusation filed on October 31, 2003, in this matter:

23 1. All issues which were to be contested and all
24 evidence which was to be presented by Complainant and
25 Respondent at a formal hearing on the Accusation, which hearing
26 was to be held in accordance with the provisions of the
27 Administrative Procedure Act (APA), shall instead and in place

1 thereof be submitted solely on the basis of the provisions of
2 this Stipulation and Agreement.

3 2. Respondent has received, read and understands the
4 Statement to Respondent, the Discovery Provisions of the APA
5 and the Accusation filed by the Department of Real Estate in
6 this proceeding.

7 3. On November 13, 2003, Respondent filed a Notice
8 of Defense pursuant to Section 11506 of the Government Code for
9 the purpose of requesting a hearing on the allegations in the
10 Accusation. In order to effectuate this settlement, Respondent
11 hereby freely and voluntarily withdraws said Notice of Defense.
12 Respondent acknowledges that he understands that by withdrawing
13 said Notice of Defense, he will thereby waive his right to
14 require the Commissioner to prove the allegations in the
15 Accusation at a contested hearing held in accordance with the
16 provisions of the APA and that he will waive other rights
17 afforded to him in connection with the hearing such as the
18 right to present evidence in defense of the allegations in the
19 Accusation and the right to cross-examine witnesses.

20 4. Respondent, pursuant to the limitations set forth
21 below, although not admitting or denying the truth of the
22 allegations, will not contest the factual allegations contained
23 in the Accusation filed in this proceeding and the Real Estate
24 Commissioner shall not be required to provide further evidence
25 of such allegations.

26 5. It is understood by the parties that the Real
27 Estate Commissioner may adopt the Stipulation and Agreement as

1 his Decision in this matter, thereby imposing the penalty and
2 sanctions on Respondent's real estate license and license
3 rights as set forth in the below "Order." In the event that
4 the Commissioner in his discretion does not adopt the
5 Stipulation and Agreement, it shall be void and of no effect,
6 and Respondent shall retain the right to a hearing and
7 proceeding on the Accusation under all the provisions of the
8 APA and shall not be bound by any stipulation or waiver made
9 herein.

10 6. The Order or any subsequent Order of the Real
11 Estate Commissioner made pursuant to this Stipulation and
12 Agreement shall not constitute an estoppel, merger or bar to
13 any further administrative proceedings by the Department of
14 Real Estate with respect to any matters which were not
15 specifically alleged to be causes for accusation in this
16 proceeding.

17 7. The admissions herein, and Respondent's decision
18 not to contest the Accusation, are made solely for the purpose
19 of reaching an agreed disposition of this proceeding and are
20 expressly limited to this proceeding, and any other proceeding
21 or case in which the Department of Real Estate or another
22 licensing agency of this state, another state, or if the
23 federal government is involved, and otherwise shall not be
24 admissible in any other criminal or civil proceedings.

25 DETERMINATION OF ISSUES

26 By reason of the foregoing stipulations and waivers
27 and solely for the purpose of settlement of the pending

1 Accusation without a hearing, it is stipulated and agreed that
2 the following Determination of Issues shall be made:

3 The conduct, acts or omissions of Respondent DEAN
4 ALLEN THOMAS as set forth in the Accusation, constitute cause
5 to suspend or revoke the real estate license and license rights
6 of Respondent under the provisions of Business and Professions
7 Code Sections 490 and 10177(b).

8 ORDER

9 WHEREFORE, THE FOLLOWING ORDER is hereby made:

10 All licenses and licensing rights of Respondent DEAN
11 ALLEN THOMAS under the Real Estate Law are revoked; provided,
12 however, a restricted real estate salesperson license shall be
13 issued to Respondent pursuant to Section 10156.5 of the
14 Business and Professions Code if Respondent makes application
15 therefor and pays to the Department of Real Estate the
16 appropriate fee for the restricted license within 90 days from
17 the effective date of this Decision. The restricted license
18 issued to Respondent shall be subject to all of the provisions
19 of Section 10156.7 of the Business and Professions Code and to
20 the following limitations, conditions and restrictions imposed
21 under authority of Section 10156.6 of that Code:

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

27

1 2. The restricted license issued to Respondent may
2 be suspended prior to hearing by Order of the Commissioner on
3 evidence satisfactory to the Commissioner that Respondent has
4 violated provisions of the California Real Estate Law, the
5 Subdivided Lands Law, Regulations of the Real Estate
6 Commissioner or conditions attaching to the restricted license.

7 3. Respondent shall not be eligible to apply for the
8 issuance of an unrestricted real estate license nor for the
9 removal of any of the conditions, limitations or restrictions
10 of a restricted license until two (2) years have elapsed from
11 the effective date of this Decision.

12 4. Respondent shall submit with any application for
13 license under an employing broker, or any application for
14 transfer to a new employing broker, a statement signed by the
15 prospective employing real estate broker on a form approved by
16 the Department of Real Estate which shall certify:

17 (a) That the employing broker has read the Decision
18 of the Commissioner which granted the right to a
19 restricted license; and

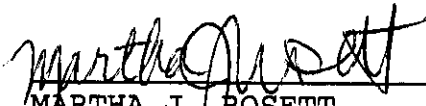
20 (b) That the employing broker will exercise close
21 supervision over the performance by the restricted
22 licensee relating to the activities for which a real
23 estate license is required.

24 5. Respondent shall, within nine months from the
25 effective date of this Decision, present evidence satisfactory
26 to the Real Estate Commissioner that Respondent has, since the
27 most recent issuance of an original or renewal real estate

1 license, taken and successfully completed the continuing
2 education requirements of Article 2.5 of Chapter 3 of the Real
3 Estate Law for renewal of a real estate license. If Respondent
4 fails to satisfy this condition, the Commissioner may order the
5 suspension of the restricted license until the Respondent
6 presents such evidence. The Commissioner shall afford
7 Respondent the opportunity for a hearing pursuant to the
8 Administrative Procedure Act to present such evidence.

9 5. Respondent shall, within six months from the
10 effective date of this Decision, take and pass the Professional
11 Responsibility Examination administered by the Department
12 including the payment of the appropriate examination fee. If
13 Respondent fails to satisfy this condition, the Commissioner
14 may order suspension of Respondent's license until Respondent
15 passes the examination.

16
17 DATED: 6/7/04


18 MARTHA J. ROSETT
19 Counsel for Complainant

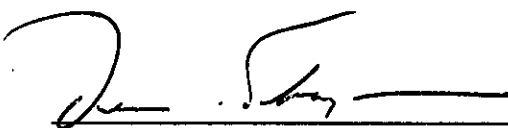
20 * * *

21 I have read the Stipulation and Agreement, have
22 discussed it with my counsel, and its terms are understood by
23 me and are agreeable and acceptable to me. I understand that I
24 am waiving rights given to me by the California Administrative
25 Procedure Act (including but not limited to Sections 11506,
26 11508, 11509 and 11513 of the Government Code), and I
27 willingly, intelligently and voluntarily waive those rights,


1 including the right of requiring the Commissioner to prove the
2 allegations in the Accusation at a hearing at which I would
3 have the right to cross-examine witnesses against me and to
4 present evidence in defense and mitigation of the charges.

5 Respondent may signify acceptance and approval of the
6 terms and conditions of this Stipulation and Agreement by faxing
7 a copy of its signature page, as actually signed by Respondent,
8 to the Department at the following fax number (213) 576-6917.
9 Respondent agrees, acknowledges and understands that by
10 electronically sending to the Department a fax copy of his actual
11 signature as it appears on the Stipulation, that receipt of the
12 faxed copy by the Department shall be as binding on Respondent as
13 if the Department had received the original signed Stipulation
14 and Agreement.

15 DATED: 5/29/2004


DEAN ALLEN THOMAS
Respondent

18 DATED: 5.29.04


Lawrence H. Lackman, Esq.
Counsel for Respondent

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* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on July 22, 2004.

IT IS SO ORDERED June 22, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

SAC

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
 DEAN ALLEN THOMAS,)
)
 _____)
 Respondent(s)

Case No. **H-30430 LA**

OAH No. L-2003110428

FILED
FEB 20 2004
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON ACCUSATION

C3

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 OCTOBER 5, 6 and 7, 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: February 20, 2004

By Martha J. Rosett
MARTHA J. ROSETT, Counsel

cc: Dean Allen Thomas
Lawrence H. Lackman, Esq.
Value Mortgage, Inc.
✓Sacto.
OAH

1 MARTHA J. ROSETT, Counsel (SBN 142072)
Department of Real Estate
2 320 West Fourth St., #350
3 Los Angeles, CA 90013-1105

4 (213) 576-6982
5 (213) 576-6914

FILED
OCT 31 2003
DEPARTMENT OF REAL ESTATE

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of) No. H-30430 LA
12 DEAN ALLEN THOMAS,)
13 Respondent.) A C C U S A T I O N
14)
15)

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against DEAN ALLEN THOMAS, aka Dean A. Thomas (hereinafter
19 "Respondent"), is informed and alleges as follows:

20 1.

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

24 2.

25 At all times herein mentioned, Respondent was and still
26 is licensed and/or has license rights under the Real Estate Law,
27 Part 1 of Division 4 of the Business and Professions Code

1 (hereinafter "Code"). At all times mentioned herein, Respondent
2 was licensed as a real estate salesperson. Respondent was first
3 licensed by the Department of Real Estate (hereinafter
4 "Department") in 1979.

5 Prior Discipline

6 3.

7 On or about July 1, 1995, the Department revoked
8 Respondent's salesperson license, with rights to apply for a
9 restricted salesperson license, pursuant to Code Section
10 10177(f). The restricted license was suspended for 90 days from
11 the date of issuance, 60 days stayed for two years. On or about
12 September 17, 1997, the restriction on Respondent's salesperson
13 license was released.

14 4.

15 On or about December 9, 2002, in the United States
16 District Court, Central District of California, in Case
17 No. CR-98-430, Respondent was convicted of violating 18 U.S.C.
18 Section 1014, 2 (false statement in loan application, causing an
19 act to be done), a felony and crime of moral turpitude which is
20 substantially related to the qualifications, functions and duties
21 of a real estate licensee. Respondent was sentenced to three
22 years probation and ordered to make \$200,000 in restitution.
23 Respondent was also held jointly and severally liable with co-
24 participants for the amount of restitution.

25 5.

26 Respondent's conviction, as set forth in Paragraph 4
27 above, constitutes grounds for the revocation or suspension of

1 Respondent's license pursuant to Code Sections 490 and 10177(b).

2 WHEREFORE, the Complainant prays that a hearing be
3 conducted on the allegations of this Accusation and that upon
4 proof thereof, a decision be rendered imposing disciplinary
5 action against all licenses and/or license rights of Respondent
6 DEAN ALLEN THOMAS under the Real Estate Law and for such other
7 and further relief as may be proper under applicable provisions
8 of law.

9 Dated at Los Angeles, California
10 this 29th day of October, 2003.

11 
12 _____
13 Deputy Real Estate Commissioner

14
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18
19
20 cc: Dean Allen Thomas
21 Value Mortgage, Inc./Janice Saravalli Thomas
22 Sacto.
23 Maria Suarez
24 CW
25
26
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