

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
MAR 29 2004  
DEPARTMENT OF REAL ESTATE

\* \* \* \* \*

In the Matter of the Application of ) No. H-30475 LA  
TERESA CAMPISI-ALSING, ) L-2003120287  
Respondent. )

DECISION

The Proposed Decision dated March 3, 2004, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The application for a real estate salesperson license is denied, but the right to a restricted real estate salesperson license is granted to respondent. There is no statutory restriction on when a new application may be made for an unrestricted license. Petition for the removal of restrictions from a restricted license is controlled by Section 11522 of the Government Code. A copy of Section 11522 is attached hereto for the information of respondent.

If and when application is made for a real estate salesperson license through a new application or through a petition for removal of restrictions, all competent evidence of rehabilitation presented by the respondent will be considered by the Real Estate Commissioner. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto.

This Decision shall become effective at 12 o'clock noon on April 19, 2004.

IT IS SO ORDERED March 25, 2004.

JOHN R. LIBERATOR  
Acting Real Estate Commissioner

John R. Liberator

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Application of:

TERESA CAMPISI-ALSING,

Respondent.

Case No. H-30475 LA

OAH No. L2003120287

PROPOSED DECISION

On February 24, 2004, in Los Angeles, California, Milford A. Maron, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Complainant was represented by James R. Peel, Staff Counsel.

Respondent, Teresa Campisi-Alsing, appeared in person and represented herself.

Oral and documentary evidence was received, the record was closed and the matter was submitted for decision.

1

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

2

On or about December 6, 2002, respondent made application to the Department of Real Estate for a real estate salesperson's license.

3

On or about November 17, 1998, in the East Los Angeles Municipal Court, in and for the County of Los Angeles, State of California, in Case Number 8EL11496, respondent was convicted of violating Vehicle Code Section 23152(b) (driving with .08% of alcohol in her blood), a misdemeanor, which is substantially related to the qualifications, functions and duties of a real estate licensee.

On or about September 15, 1999, in the Municipal Court of California, in and for the County of Los Angeles, State of California, in Case No. 9WL02211, respondent was convicted of violating Vehicle Code Section 23152(b) (driving with .08% of blood alcohol in her blood), a misdemeanor, which is substantially related to the qualifications, functions and duties of a real estate licensee.

A. Respondent completed the court ordered programs and now possesses an unrestricted driving license. It appears that she has overcome her drinking difficulties.

B. She has been in training to become a real estate salesperson for a period of a year, and has a promise of employment.

\* \* \* \* \*

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

Respondent's conviction found above constitutes grounds for denial of her application for a real estate salesperson's license pursuant to Business and Professions Code Sections 480(a) and 10177(b).

In that four (4) years has elapsed since her last conviction, she would appear to be a prime candidate for a restricted license.

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

Respondent's application for a real estate salesperson's license is denied; provided, however, a restricted real estate salesperson's license shall be issued to respondent pursuant to Section 10153.5 of the Business and Professions Code. The restricted license issued to the respondent shall be subject to all of the provisions of Section 10153.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10153.5 of said Code:

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

- (a) The conviction of respondent (including a plea of nolo contendere) of a crime which is substantially related to respondent's fitness or capacity as a real estate licensee; or
- (b) The receipt of evidence that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to this restricted license.

2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until three (3) years have elapsed from the date of issuance of the restricted license to respondent.

3. With the application for license, or with the application for transfer to a new employing broker, respondent shall submit a statement signed by the prospective employing real estate broker on a form RE 2552 (Rev. 4/88) approved by the Department of Real Estate which shall certify as follows:

- (a) That the employing broker has read the Decision which is the basis for the issuance of the restricted license; and
- (b) That the employing 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: Mar 3, 2004



MILFORD A. MARON  
Administrative Law Judge  
Office of Administrative Hearings

MAM:rfm

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

In the Matter of the Application of ) Case No. H-30475 LA  
)  
**TERESA CAMPISI-ALSING,** ) OAH No. L-2003120287  
)  
\_\_\_\_\_)  
Respondent(s)

**FILED**  
DEC 19 2003  
DEPARTMENT OF REAL ESTATE

**NOTICE OF HEARING ON APPLICATION**

**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 TUESDAY, FEBRUARY 24, 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 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: December 19, 2003

By

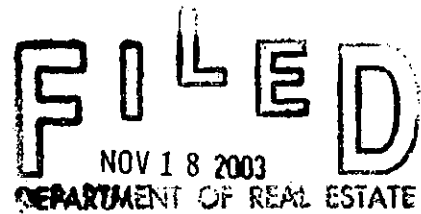
*Martha J. Rosett*

MARTHA J. ROSETT, Counsel

cc: Teresa Campisi-Alsing  
Richard Jeffrey Callon  
Sacto.  
OAH

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

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



8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \*

11 In the Matter of the Application of) No. H-30475 LA  
12 TERESA CAMPISI-ALSING,) STATEMENT OF ISSUES  
13 Respondent.)  
14

15  
16 The Complainant, Maria Suarez, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against TERESA CAMPISI-ALSING (hereinafter "Respondent"), alleges  
19 in her official capacity as follows:

20 1.

21 On or about December 6, 2002, Respondent made  
22 application to the Department of Real Estate of the State of  
23 California for a real estate salesperson license with the  
24 knowledge and understanding that any license issued as a result  
25 of said application would be subject to the conditions of Section  
26 10153.4 of the Business and Professions Code.

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2.

On or about November 17, 1998, in the East Los Angeles Municipal Court, County of Los Angeles, State of California, in Case Number 8EL11496, Respondent was convicted of violating Vehicle Code Section 23152(b) (driving with more than .08% of alcohol in blood), a misdemeanor which is substantially related to the qualifications, functions and duties of a real estate licensee. Respondent was sentenced to three years summary probation, the terms and conditions of which included paying \$1,287.00 in fines and penalties, completion of a first offender alcohol program, and restrictions on her driving.

3.

On or about September 15, 1999, in the Municipal Court of California, County of Los Angeles, State of California, in Case No. 9WL02211, Respondent was convicted of violating Vehicle Code Section 23152(b) (driving with .08% of blood alcohol or greater), a crime which by its circumstances involved moral turpitude and which is substantially related to the qualifications, functions and duties of a real estate licensee. Imposition of sentence was suspended for four years, and Respondent was conditionally sentenced to serve 48 hours in jail and 73 days electronic monitoring. Respondent was ordered to complete an alcohol program and had her driver license restricted for 18 months.

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4.

Respondent's conviction, as set forth in Paragraph 3, constitutes grounds for denial of Respondent's application for a real estate license pursuant to Business and Professions Code Sections 480(a) and 10177(b).

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

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent TERESA CAMPISI-ALSING and for such other and further relief as may be proper under the law.

Dated at Los Angeles, California

this 17<sup>th</sup> day of November, 2003

  
Deputy Real Estate Commissioner

cc: Teresa Campisi-Alsing  
Richard J. Callow  
Sacto.  
Maria Suarez  
AE