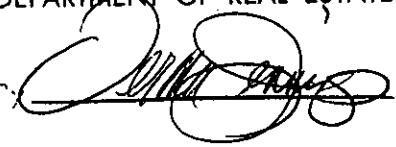


FILED
JAN 17 2008
DEPARTMENT OF REAL ESTATE



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-30822 LA
ALVARO JOSE MEJIA,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On December 15, 2004, a Decision was rendered herein, denying the Respondent's application for a real estate broker 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 March 16, 2005, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

///
///
///

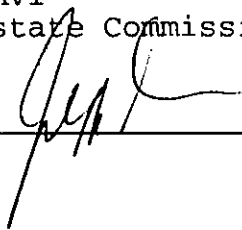
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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

This Order shall be effective immediately.

Dated: 1-8-08

JEFF DAVI
Real Estate Commissioner



FILED
DEC 21 2004
DEPARTMENT OF REAL ESTATE

By K. Medeiros

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-30822 LA |
| ALVARO JOSE MEJIA, |) | |
| Respondent. |) | <u>STIPULATION</u> |
| |) | <u>AND</u> |
| |) | <u>WAIVER</u> |

It is hereby stipulated by and between ALVARO JOSE MEJIA (hereinafter "Respondent") and his attorney, Edgardo Gonzalez, Esq., and the Complainant, acting by and through Elliott Mac Lennan, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on April 2, 2004, 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 broker 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 and truthfulness

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

20 C. Respondent is aware that by signing this
21 Stipulation and Waiver, Respondent is waiving Respondent's right
22 to a hearing and the opportunity to present evidence at the
23 hearing to establish Respondent's rehabilitation in order to
24 obtain an unrestricted real estate broker license if this
25 Stipulation and Waiver is accepted by the Real Estate
26 Commissioner. However, Respondent is not waiving Respondent's
27 right to a hearing and to further proceedings to obtain a

1 restricted or unrestricted broker license if this Stipulation and
2 Waiver is not accepted by the Commissioner.

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

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

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

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

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

25 3. With the application for license, or with the
26 application for transfer to a new employing broker, Respondent
27 shall submit a statement signed by the prospective employing

1 broker on a form approved by the Department of Real Estate
2 wherein the employing broker shall certify as follows:

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

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

9 4. During the term of any restricted license,
10 Respondent shall submit to the Department of Real Estate as of
11 the last day of each March, June, September and December, proof
12 satisfactory to the Real Estate Commissioner of Respondent's
13 ongoing participation in a recognized drug and alcohol diversion
14 program. Said proof shall be submitted to the Manager of the
15 Crisis Response Team at the Los Angeles Office of the Department
16 of Real Estate and shall be verified as true and accurate by
17 Respondent under penalty of perjury.

18 The Commissioner may suspend the restricted license
19 issued to Respondent pending a hearing held in accordance with
20 Section 11500 et seq., of the Government Code, if such proof is
21 not timely submitted as provided for herein, or as provided for
22 in a subsequent agreement between the Respondent and the
23 Commissioner. The suspension shall remain in effect until such
24 proof is submitted or until Respondent enters into an agreement
25 satisfactory to the Commissioner to provide such proof, or until
26 a decision providing otherwise is adopted following a hearing
27 held pursuant to this condition.

11-22-04

274

1 DATED

Elliott Mac Lennan, Counsel
Department of Real Estate

2
3 * * *

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

14 Respondent can signify acceptance and approval of the
15 terms and conditions of this Stipulation and Wavier by faxing a
16 copy of the signature page, as actually signed by Respondent,
17 to Elliott Mac Lennan at the Department at fax number (213)
18 576-6917. Respondent agrees, acknowledges and understands that
19 by electronically sending to the Department a fax copy of his
20 actual signature as it appears on the Stipulation and Waiver,
21 that receipt of the faxed copy by the Department shall be as
22 binding on Respondent as if the Department had received the
23 original signed Stipulation and Waiver.

24 ///

25 ///

26 ///

27 ///

FROM : AL MEJIA

FAX NO. : 9497159368

NOV 22 06:53PM P7


11/21/2004 18:22 5103519292
NOV-22-04 MON 08:34 PM

ED GONZALEZ

FAX NO. 2135706917


PAGE 07
P. 07

1 11-22-2004
2 DATED


ALVARADO JOSE MEJIA
Respondent

3
4 I have reviewed the Stipulation and Waiver as to form
5 and content and have advised my client accordingly.

6 11-22-04
7 DATED


EDUARDO GONZALEZ, ESQ.
Attorney for Respondent

8
9 I have read the Statement of Issues filed herein and
10 the foregoing Stipulation and Waiver signed by Respondent. I am
11 satisfied that the hearing for the purpose of requiring further
12 proof as to the honesty and truthfulness of Respondent need not
13 be called and that it will not be inimical to the public interest
14 to issue a restricted real estate salesperson license to
15 Respondent.

16 Therefore, IT IS HEREBY ORDERED that a restricted real
17 estate salesperson license be issued to Respondent, ALVARO JOSE
18 MEJIA, if Respondent has otherwise fulfilled all of the statutory
19 requirements for licensure. The restricted license shall be
20 limited, conditioned, and restricted as specified in the
21 foregoing Stipulation and waiver.

22 This Order is effective immediately.

23 IT IS SO ORDERED _____
24

25 JEFF DAVIS
26 Real Estate Commissioner
27

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

DATED

ALVARO JOSE MEJIA
Respondent

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

DATED

EDGARDO GONZALEZ, ESQ.
Attorney for Respondent

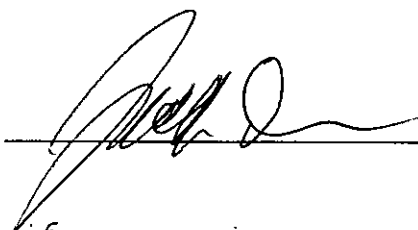
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public 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, ALVARO JOSE MEJIA, 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 December 15 2004.

JEFF DAVI
Real Estate Commissioner



*Sacto
Blay*

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

FILED
AUG 10 2004
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of

By *K. K. K. K.*

ALVARO JOSE MEJIA,

}
}

Case No. H-30822 LA

OAH No. L-2004050138

Respondent

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 320 W. Fourth Street, Ste. 630, Los Angeles, California on November 23, 2004, 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: AUG 10 2004

By *E. L. L.*
ELLIOTT MAC LENNAN, Counsel

cc: Alvaro Jose Mejia
Sacto/OAH/LF

Mejia

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

FILED
JUL 16 2004
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of

ALVARO JOSE MEJIA,

By *K. Kederholt*

Case No. H-30822 LA

OAH No. L-2004050138

Respondent

**AMENDED
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 320 W. Fourth Street, Ste. 630, Los Angeles, California on July 27, 2004, at the hour of 11:00 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: JUL 16 2004

By *E. L.*
ELLIOTT MAC LENNAN, Counsel

cc: Alvaro Jose Mejia
Sacto/OAH/LF

Handwritten initials/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

ELLIOTT MAC LENNAN, SBN 66674
Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6911 (direct)
-or- (213) 576-6982 (office)

FILED
APR - 2 2004
DEPARTMENT OF REAL ESTATE

By *K. M. ...*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
ALVARO JOSE MEJIA,)
Respondent.)

No. H-30822 LA
STATEMENT OF ISSUES

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

1.

Respondent made application to the Department of Real Estate of the State of California for a real estate broker license on or about January 10, 2003.

2.

On December 12, 2002, in the Superior Court, County of Orange, Harbor Justice Center, State of California, Case No. 02HM06632, respondent was convicted upon a guilty plea to one

1 count of California Vehicle Code Section 23103(a) ("wet"
2 reckless), a misdemeanor.

3 3.

4 On January 18, 2000, in the Superior Court, County of
5 Orange, State of California, Case No. 99HM07558, respondent was
6 convicted upon a guilty plea to one count of California Vehicle
7 Code Section 23152(a) (DUI), a misdemeanor.

8 4.

9 On March 3, 1995, in the Municipal Court of Central
10 Orange County, County of Orange, State of California, Case No.
11 95CS00951, respondent was convicted upon a guilty plea to one
12 count of California Vehicle Code Section 23152(a) (DUI), a
13 misdemeanor.

14 5.

15 The crimes set forth in Paragraphs 2 through 4, by
16 their facts and circumstances, are substantially related under
17 Section 2910, Chapter 6, Title 10 of the California Code of
18 Regulations, to the qualifications, functions or duties of a real
19 estate licensee.
20

21 6.

22 These crimes constitute cause for denial of
23 respondent's application for a real estate license under Sections
24 480(a) and/or 10177(b) of the Code.


25 ///

1 These proceedings are brought under the provisions of
2 Section 10100, Division 4 of the California Business and
3 Professions Code and Sections 11500 through 11529 of the
4 California Government Code.

5 WHEREFORE, the Complainant prays that above-entitled
6 matter be set for hearing and, upon proof of the charges
7 contained herein, that the Commissioner refuse to authorize the
8 issuance of, and deny the issuance of, a real estate broker
9 license to respondent ALVARO JOSE MEJIA, and for such other and
10 further relief as may be proper in the premises.

11 Dated at Los Angeles, California

12 this *23rd day of March 2004*

13
14 
15 Deputy Real Estate Commissioner
16
17
18
19
20
21
22
23

24 cc: Alvaro Jose Mejia
25 Maria Suarez
26 Sacto
27 LF