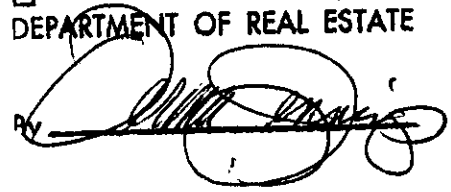


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DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of)	No. H-30843 LA
)	
CHRISTOPHER GLENDON WEDGE,)	
)	
Respondent.)	
)	

ORDER GRANTING UNRESTRICTED LICENSE

On September 20, 2004, a Decision was rendered herein denying 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 on November 4, 2004 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On or about November 2, 2009, Respondent petitioned for removal of restrictions of said real estate salesperson license.

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 removal
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following requirements:

6 1. Submits a completed application and pays the fee for a real estate salesperson
7 license within the 12 month period following the date of this Order; and

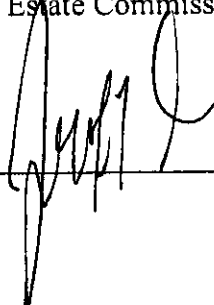
8 2. Submits proof that Respondent has completed the continuing education
9 requirements for renewal of the license sought. The continuing education courses must be
10 completed either (i) within the 12 month period preceding the filing of the completed application,
11 or (ii) within the 12 month period following the date of this Order.

12 This Order shall be effective immediately.

13 Dated: _____

14 8-17-2010

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16 JEFF DAVI
17 Real Estate Commissioner

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FILED
SEP 28 2004
DEPARTMENT OF REAL ESTATE

By James B. Dean

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
CHRISTOPHER GLENDON WEDGE,) No. H-30843 LA
Respondent.) OAH No. L-2004050140

STIPULATION AND WAIVER

AND

DECISION AFTER REJECTION

The California Department of Real Estate ("Department") filed a Statement of Issues against CHRISTOPHER GLENDON WEDGE ("Respondent") on April 14, 2004.

On July 8, 2004, a hearing was held before Christopher J. Ruiz, Administrative Law Judge (hereafter "ALJ"), Office of Administrative Hearings, at Los Angeles, California. Department of Real Estate Counsel, Chris Leong, represented the Complainant. Respondent personally appeared at

1 the hearing and represented himself. Evidence was received,
2 the record was closed, and the matter was submitted.

3 On July 14, 2004, the Proposed Decision of the ALJ
4 was issued, and determined, that an unconditional restricted
5 licensed be issued.

6 On August 11, 2004, the Commissioner rejected the
7 Proposed Decision of July 14, 2004.

8 The parties wish to settle this matter without
9 further proceedings.

10 IT IS HEREBY STIPULATED by and between Respondent and
11 the Department, acting by and through Chris Leong, Counsel for
12 the Department of Real Estate, as follows for the purpose of
13 settling and disposing of the Statement of Issues filed by the
14 Department.

15 It is understood by the parties that the Real Estate
16 Commissioner may adopt the Stipulation and Waiver ("Waiver") as
17 his decision in this matter, thereby imposing the penalty and
18 sanctions on Respondent's application for a real estate license
19 as set forth in the below "Decision and Order". In the event
20 the Commissioner in his discretion does not adopt the
21 Stipulation, the Stipulation shall be void and of no effect;
22 the Commissioner will review the transcript and the evidence in
23 the case, and will issue his Decision after Rejection as his
24 Decision in this matter.

25 By reason of the foregoing and solely for the purpose
26 of settlement of the Statement of Issues without further
27

1 administrative proceedings, it is stipulated and agreed that
2 the following shall be adopted as the Commissioner's Decision:

3 FACTUAL FINDINGS

4 1. The Statement of Issues was made and filed by
5 Maria Suarez ("Complainant"), in her official capacity as a
6 Deputy Real Estate Commissioner, Department of Real Estate,
7 State of California ("the Department").

8 2. On May 16, 2003, Respondent applied to the
9 Department for a real estate salesperson license.

10 Respondent's application was not approved,
11 Respondent timely requested a hearing, and the instant hearing
12 ensued.

13 3. Respondent's application was not approved because
14 of three criminal convictions. The facts and circumstances
15 underlying those actions are set forth below.

16 4. On April 2, 2001, Respondent was convicted of one
17 count of violating California Vehicle Code (hereafter "VC")
18 Section 23152(A) and (B) (Driving under the influence of
19 alcohol), a crime involving moral turpitude, which is
20 substantially related to the qualifications, functions and
21 duties of a licensee.

22 As a result of the conviction Respondent was placed on
23 three (3) years summary probation on certain terms and
24 conditions, including, a \$390.00 fine.
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1 5. On March 25, 2002, in the Superior Court, County of
2 Los Angeles, State of California, in Case No.
3 CH02HM01238, Respondent was convicted of one count of violating
4 Section 23152(A) and (B) VC (Driving under the influence of
5 alcohol), and Section 14601.5(a) VC (Driving on a suspended
6 license), crimes involving moral turpitude, which are
7 substantially related to the qualifications, functions and
8 duties of a licentiate. Respondent's felony conviction was
9 later reduced to a misdemeanor.

10 As a result of the conviction Respondent was placed on
11 three (3) years summary probation on certain terms and
12 conditions, including, a fine of \$390.00.

13 6. On June 24, 2002, in the Superior Court of
14 California, County of Imperial, in Case No. CM4148-B, Respondent
15 was convicted of one count of violating Section 23152(A),
16 (Driving under the influence of alcohol), a crime, which is
17 substantially related to the qualifications, functions and
18 duties of a licentiate.

19 As a result of the conviction Respondent was placed on
20 five (5) years summary probation on certain terms and
21 conditions, including, a fine of \$1203.00.

22 FACTORS IN MITIGATION AND INDICATING REHABILITATION

23 7. Respondent's most recent criminal conviction
24 "substantially related" to the qualifications, functions or
25 duties of a licentiate occurred in June of 2002, over two (2)
26 years ago.

27

1 8. Although Respondent is on probation until June 24,
2 2007. He is willing to accept a restricted license. Respondent
3 accepts full responsibility for his past convictions.

4 9. Respondent became engaged in the year 2000 and
5 moved to Orange County. The move took him away from family and
6 friends. In early 2002, Respondent's fiance moved back to San
7 Diego and their relationship ended. Respondent then turned to
8 drinking to drown his sorrows. This drinking led to three
9 convictions.

10 10. Respondent testified that he has been sober and
11 has not had any alcohol since February 13, 2002, the date of the
12 arrest leading to his conviction of June 24, 2002. He enrolled
13 in Cornerstone, an alcohol treatment program, in February 2002.

14 11. Respondent is presently a loan processor. He
15 provided a letter of recommendation from his employer which
16 indicates that Respondent has done well in this position.

17 12. Respondent is presently involved in Alcoholics'
18 Anonymous. He attends meetings once a week. He does not have a
19 sponsor.

20 13. Respondent has recently become a father. He has
21 lived with the mother of his child for eighteen (18) months.

22 14. The ALJ found that Respondent made a good witness
23 on his own behalf. He is well-spoken and appeared remorseful
24 for his past conduct. While there is some concern regarding how
25 Respondent would react if his present relationship ended,
26 Respondent has shown his desire to remain sober, and has done so
27 for over two years.

1
2 15. Respondent has addressed and satisfied some of
3 the criteria of rehabilitation. More than two years have passed
4 since the most recent conviction, but Respondent has a history
5 of committing acts which are substantially related to the
6 qualifications, functions or duties of a real estate licensee.
7 The convictions have not been expunged. Respondent is still on
8 criminal probation. Respondent has paid the criminal fines.
9 Respondent has not used alcohol for more than two years.
10 Respondent recently became a father and has a more stable life
11 now than in the past. Respondent does participate in
12 Alcoholics' Anonymous. Respondent's life has changed for the
13 better and the chances of recidivism appear unlikely at the
14 present time. Allowing Respondent a restricted license would
15 not endanger the health, safety, and welfare of the public.

16 LEGAL CONCLUSIONS

17 Based on Findings above, cause exists for denial of
18 Respondent's application for an unrestricted salesperson license
19 based on Business and Professions Code ("Code") Sections 480,
20 subdivision (a).

21 ORDER

22 Respondent application for a real estate salesperson
23 license is denied; provided, however, a restricted real estate
24 salesperson license shall be issued
25 to Respondent pursuant to Section 10156.5 of the Business and
26 Professions Code. The restricted license issued to the
27 Respondent shall be subject to all of the provisions of Section

1 10156.7 of the Business and Professions Code and to the
2 following limitations, conditions and restrictions imposed
3 under authority of Section 10156.6 of said Code:

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

9 (a) The conviction of Respondent (including a plea
10 of nolo contendere) of a crime which is
11 substantially related to Respondent's fitness or
12 capacity as a real estate licensee; or

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

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

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

1 real estate broker on a form RE 552 approved by the Department
2 of Real Estate which shall certify as follows:

3 (a) That the employing broker has read the Decision
4 which is the basis for the issuance of the
5 restricted license; and

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

11 4. Respondent's restricted real estate salesperson

12 license is issued subject to the requirements of Section
13 10153.4 of the Business and Professions Code, to wit:

14 Respondent shall, within eighteen (18) months of the issuance
15 of the restricted license, submit evidence satisfactory to the
16 Commissioner of successful completion, at an accredited
17 institution, of two of the courses listed in Section 10153.2,
18 other than real estate principles, advanced legal aspects of
19 real estate, advanced real estate finance or advanced real
20 estate appraisal. If Respondent fails to timely present to the
21 Department satisfactory evidence of successful completion of
22 the two required courses, the restricted license shall be
23 automatically suspended effective eighteen (18) months after
24 the date of its issuance. Said suspension shall not be lifted
25 unless, prior to the expiration of the restricted license,
26 Respondent has submitted the required evidence of course
27

1 completion and the Commissioner has given written notice to
2 Respondent of lifting of the suspension.

3 5. Pursuant to Section 10154, if Respondent has not
4 satisfied the requirements for an unqualified license under
5 Section 10153.4, Respondent shall not be entitled to renew the
6 restricted license, and shall not be entitled to the issuance
7 of another license which is subject to Section 10153.4 until
8 four (4) years after the date of the issuance of the preceding
9 restricted license.

10 8/25/04

CHRIS LEONG

11 DATED

CHRIS LEONG, Counsel
Department of Real Estate

12 * * *

13 I have read the Stipulation and its terms are
14 understood by me and are agreeable and acceptable to me. I
15 willingly and voluntarily agree to enter into this Stipulation.
16

17 Respondent can signify acceptance and approval of the
18 terms and conditions of this Stipulation by faxing a copy of
19 the signature page, as actually signed by Respondent, to the
20 Department at the following fax number: (213) 576-6917.

21 Respondent agrees, acknowledges and understands that by
22 electronically sending to the Department a fax copy of his
23 actual signature as it appears on the Stipulation, that
24 receipt of the fax copy by the Department shall be as binding
25 on him as if the Department had received the original signed
26 Stipulation.

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8-23-04

Christ
CHRISTOPHER GLENDON WEDGE
Respondent

DATED

* * *

DECISION AND ORDER

The foregoing Stipulation and Waiver and Decision
After Rejection is hereby adopted by the Real Estate
Commissioner as his Decision and Order.

This Decision shall become effective at 12 o'clock
noon on OCT 18 2004, 2004.

IT IS SO ORDERED Sept. 20, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

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7/20/04

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FILED
AUG 13 2004
DEPARTMENT OF REAL ESTATE

By 

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

In the Matter of the Application of)	
CHRISTOPHER GLENDON WEDGE,	No. H-30843 LA
Respondent.	L-2004050140

NOTICE

TO: CHRISTOPHER GLENDON WEDGE, Respondent.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated July 14, 2004, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated July 14, 2004, is attached for your information.

In accordance with Section 11517(c) of the Government Code of the State of California, the disposition of this case will be determined by me after consideration of the record herein including the transcript of the proceedings held on July 8, 2004,

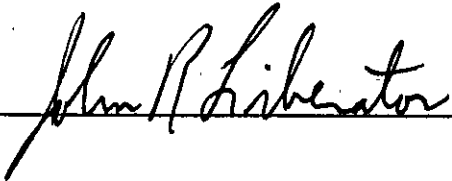
1 and any written argument hereafter submitted on behalf of
2 Respondent and Complainant.

3 Written argument of Respondent to be considered by me
4 must be submitted within 15 days after receipt of the transcript
5 of the proceedings of July 8, 2004, at the Los Angeles office of
6 the Department of Real Estate unless an extension of the time is
7 granted for good cause shown.

8 Written argument of Complainant to be considered by me
9 must be submitted within 15 days after receipt of the argument of
10 Respondent at the Los Angeles office of the Department of Real
11 Estate unless an extension of the time is granted for good cause
12 shown.

13 DATED: August 11, 2004

14 JOHN R. LIBERATOR
15 Acting Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application and Statement
of Issues of:

CHRISTOPHER GLENDON WEDGE,

Respondent.

Board No. H- 30843 LA

OAH No. L2004050140

PROPOSED DECISION

This matter came on regularly for hearing on July 8, 2004, at Los Angeles, California, before Christopher J. Ruiz, Administrative Law Judge, Office of Administrative Hearings, State of California. Respondent Christopher Glendon Wedge (Respondent) was present and represented himself. Complainant, Maria Suarez, Deputy Real Estate Commissioner, was represented by Chris Leong, Counsel for Department of Real Estate (Department).

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

FACTUAL FINDINGS

The Administrative Law Judge finds the following facts:

1. Complainant, Maria Suarez, a Deputy Real Estate Commissioner, brought the Statement of Issues in her official capacity.
2. (a) On April 2, 2001, in the Superior Court of California, County of Orange, Harbor Justice Center, Laguna Niguel Facility, Case No. SH1SM01396, Respondent was convicted, by plea of guilty, of violating California Vehicle Code Sections 23152(A) and (B) (Driving under the influence of alcohol).

(b) Respondent was placed on conditional probation for three years and ordered to pay a \$390 fine. Respondent paid the \$390 fine.
3. (a) On March 25, 2002, in the Superior Court of California, County of Orange, Case No. CH02HM01238, Respondent was convicted, by plea of guilty, of violating California Vehicle Code Sections 23152(A) and (B) (Driving under the influence of alcohol) and California Vehicle Code Section 14601.5(a) (Driving on suspended license).

(b) Respondent was placed on informal probation for three years and ordered to pay a \$390 fine. Respondent paid the \$390 fine.

4. (a) On June 24, 2002, in the Superior Court of California, County of Imperial, Case No. CM4148-B, Respondent was convicted, by plea of guilty, of violating California Vehicle Code Sections 23152(A) (Driving under the influence of alcohol).

(b) Respondent was sentenced to jail for two days, with credit for time served, was placed on probation for five years, and was ordered to pay a \$1203 fine. Respondent paid the \$1,203 fine.

5. On May 16, 2003, Respondent made an application to the Department for a real estate salesperson license.

6. Respondent is on probation until June 24, 2007. He is willing to accept a restricted license. Respondent accepts full responsibility for his past convictions.

7. Respondent became engaged in the year 2000 and moved to Orange County. The move took him away from family and friends. In early 2002, Respondent's fiancée moved back to San Diego and their relationship ended. Respondent then turned to drinking to drown his sorrows. This drinking led to three convictions.

8. Respondent has been sober and has not had any alcohol since February 13, 2002, the date of the arrest leading to his conviction on June 24, 2002. He enrolled in Cornerstone, an alcohol treatment program, in February 2002.

9. Respondent is presently a loan processor. He provided a letter of recommendation from his employer which indicates that Respondent has done well in this position.

10. Respondent is presently involved in Alcoholics' Anonymous. He attends meetings once a week. He does not have a sponsor.

11. Respondent has recently become a father. He has lived with the mother of his child for eighteen (18) months.

12. Respondent made a good witness on his own behalf. He is well-spoken and appeared remorseful for his past conduct. While there is some concern regarding how Respondent would react if his present relationship ended, Respondent has shown his desire to remain sober, and has done so for over two years.

LEGAL CONCLUSIONS AND DISCUSSION

Based upon the foregoing factual findings, the Administrative Law Judge makes the following legal conclusions:

1. Cause exists to deny Respondent's application for a real estate broker license pursuant to Business and Professions Code Section 480(a) because respondent has been convicted of a crime which is substantially related to the qualifications, functions, or duties of a real estate salesperson.

Substantial Relationship

Title 10, California Code of Regulations, Section 2910, defines by regulation instances where acts are deemed to be substantially related to the qualifications, functions, or duties of a licensee. Subsection (a)(11), defines two or more convictions involving the consumption or use of alcohol or drugs when at least one of the convictions involve driving and the use or consumption of alcohol or drugs as being substantially related to the qualifications, functions, or duties of a licensee. Respondent's three convictions are substantially related to the qualifications, functions, or duties of a real estate salesperson. Factual Findings 2-4.

2. Cause does exist to deny Respondent's application for a real estate salesperson license pursuant to Business and Professions Code Section 10177(b) based on Respondent's three convictions. Respondent's convictions for driving under the influence of alcohol, and for driving on a suspended license, in total, rise to the level of a crime involving moral turpitude.

Moral Turpitude Discussion

a. A criminal conviction can form the basis for denial of an application for a real estate salesperson's license if the crime is a felony or a crime involving moral turpitude. Business and Professions Code section 10177(b). Respondent's three convictions in 2001 and 2002 are not felonies.

b. Although not amenable to a precise definition, "moral turpitude" connotes a readiness to do evil, an act of baseness, vileness or "depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and man." *People v. Forster* (1994) 29 Cal.App.4th 1746, 1757, quoting from *People v. Mansfield* (1988) 200 Cal.App.3d 82, 87.

c. Conviction of some crimes, by their very nature, establishes moral turpitude per se, such as murder and fraud. Other crimes, such as drunk driving, do not necessarily establish moral turpitude per se; however, the particular circumstances of the underlying offense must be reviewed to determine if the conviction involved moral turpitude. See, *In re Kelley* (1990) 52 Cal.3d 487 and *Adams v. Commission on Judicial Performance* (1994) 8 Cal.4th 630.

d. In this case, Respondent has three convictions for driving under the influence of alcohol and driving on a suspended license. These three convictions occurred within, approximately, a 14 month time span. The latter two convictions involved acts which Respondent committed while he was already on probation. In *People v. Forster* (1994) 29 Cal.App.4th 1746, the question was not about license applications but, rather, whether a prior conviction could be used to impeach the defendant. (Only prior felony convictions involving moral turpitude could be used for this purpose.) In Forster's prosecution for driving under the influence (one count under Vehicle Code section 23152(a) and a second count under section 23152(b)) and driving with a suspended license, he was impeached with evidence that he had 3 or more prior convictions for driving under the influence within the last 7 years before his latest conviction, a violation of Vehicle Code section 23175. In finding that this amounted to moral turpitude, the court reasoned that this was a recidivist crime involving extremely dangerous activity, and a person guilty of violating section 23175 is presumptively aware of the life-threatening nature of the activity and the grave risks involved. Continuing to drive under the influence, despite such knowledge, indicates a conscious indifference and disregard of the ultimate consequences, from which can be inferred that the conduct amounts to moral turpitude. Similarly, Respondent's actions were very dangerous and were done with complete disregard for the safety of himself or the public. The latter two convictions, as stated in Factual Findings 2 and 3, when considered with the first conviction and Respondent's probationary status, amount to crimes of moral turpitude. Factual Findings 2-4.

3. Criteria have been developed by the Department pursuant to Section 482(a) of the Business and Professions Code for the purpose of evaluating the rehabilitation of a licensee against whom an administrative disciplinary proceeding has been initiated on account of a crime committed by the licensee. These criteria, found at California Code of Regulations, Title 10, Section 2911, are summarized as follows:

- Subsection (a) passage of at least two years since the conviction;
- Subsection (b) restitution;
- Subsection (c) expungement of the conviction;
- Subsection (d) expungement of the requirement to register as an offender;
- Subsection (e) completion of the criminal probation;
- Subsection (f) abstinence from drugs or alcohol that contributed to the crime;
- Subsection (g) payment of any criminal fines or penalties;
- Subsection (h) stability of family life;
- Subsection (i) enrollment in or completion of educational or training courses;
- Subsection (j) discharge of debts to others;
- Subsection (k) correction of business practices causing injury;
- Subsection (l) significant involvement in community, church or private programs for social betterment
- Subsection (m) new and different social and business relationships; and
- Subsection (n) change in attitude from the time of conviction to the present, evi-

denced by testimony of the applicant and others, including family members, friends or others familiar with his previous conduct and subsequent attitudes and behavior patterns.

4. Respondent has addressed, and satisfied, some of these criteria of rehabilitation. More than two years have passed since the conviction, but respondent has a history of committing acts which are substantially related to the qualifications, functions or duties of a real estate licensee, so a longer passage of time is required. The convictions have not been expunged. Respondent is presently on criminal probation. He has paid the criminal fines. Respondent has not used alcohol for more than two years. Respondent recently became a father and has a more stable life now than he did in the past. Respondent does participate in Alcoholics Anonymous. Respondent's life has changed for the better and the chances of recidivism appear unlikely at the present time. Allowing Respondent a restricted license would not endanger the health, safety, and welfare of the public. Factual Findings 6-12.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

Respondent's application for a real estate salesperson license is denied; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code. The restricted license issued to the Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 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.
- (c) Any use of alcohol by Respondent.

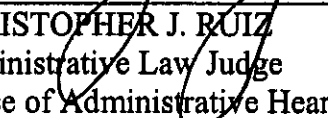
2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to Respondent.

NOT ADAPTED

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 552 (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: July 14, 2004.


CHRISTOPHER J. RUIZ
Administrative Law Judge
Office of Administrative Hearings

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Jag

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILE
JUN 17 2004
DEPARTMENT OF REAL ESTATE

By Laura B. [Signature]

In the Matter of the Application of

CHRISTOPHER WEDGE,

}

Case No. H-30843 LA

OAH No. L-2004050140

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 the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California 90013 on JULY 8, 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: June 17, 2004

By

CHRIS LEONG
CHRIS LEONG, Counsel

cc: Christopher Wedge
Windsor Capital Mortgage Corp.
Sacto./OAH

Sachs
Ray

CHRIS LEONG, Counsel (SBN 141079)
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

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

FILED
APR 14 2004

DEPARTMENT OF REAL ESTATE

By *Laura B. Jones*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
CHRISTOPHER GLENDON WEDGE,)
Respondent.)

No. H- 30843:LA

STATEMENT OF ISSUES

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against CHRISTOPHER GLENDON WEDGE ("Respondent") alleges as follows:

I

Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson license on or about May 16, 2003 with the knowledge and understanding that any license issued as a result of said application would be subject to the conditions of Business and Professions Code ("Code") Section 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.

III

On or about April 2, 2001, in the Superior Court, of California, County of Orange, Harbor Justice Center, Laguna Niguel Facility, State of California, Case No. SH01SM01396, Respondent was convicted of violating one count each of Sections 23152(A) and 23152(B) of the California Vehicle Code (VC) (Driving under influence of alcohol/drugs), crimes involving moral turpitude which are substantially related to the qualifications, functions and duties of a real estate licensee.

IV

On or about March 25, 2002, in the Superior Court of the State of California, County of Orange, Case No. CH02HM01238, Respondent was convicted of violating one count each of Sections 23152(A) VC, 23152(B) VC (Driving under influence of alcohol/drugs) and Section 14601.5(a) VC (Driving on suspended license), crimes involving moral turpitude which are substantially related to the qualifications, functions and duties of a real estate licensee.

V

On or about June 24, 2002, in the Superior Court of California, County of Imperial, Case No. CM04148-B, Respondent

1 was convicted of violating Section 23152(A) VC (Driving under
2 influence of alcohol/drugs), a crime involving moral turpitude
3 which is substantially related to the qualifications, functions
4 and duties of a real estate licensee.

5 VI

6 Respondent's convictions, as set forth in Paragraphs
7 III through V, are cause to deny Respondent's real estate
8 license application pursuant to Code Sections 480(a)(1) and
9 10177(b).

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

14 WHEREFORE, the Complainant prays that the above-
15 entitled matter be set for hearing and, upon proof of the
16 charges contained herein, that the Commissioner refuse to
17 authorize the issuance of, and deny the issuance of, a real
18 estate salesperson license to Respondent, CHRISTOPHER GLENDON
19 WEDGE, and for such other and further relief as may be proper
20 in the premises.

21 Dated at Los Angeles, California

22 this 13th day of April, 2004.

23
24 
Deputy Real Estate Commissioner

25 cc: Christopher Glendon Wedge
26 Windsor Capital Mortgage Corp/Naomi Bar-Lav
27 Maria Suarez
Sacto.
AE