

## BEFORE THE DEPARTMENT OF REAL ESTATE

## STATE OF CALIFORNIA

In the Matter of the Accusations of

NANCY VERONICA CEA

(presently known as "Nancy Veronica Uhl),

Respondent.

Nos. H-34967 LA &

H-38839 LA

## ORDER DENYING REINSTATEMENT OF LICENSE BUT GRANTING RIGHT TO A RESTRICTED LICENSE

On March 31, 2009, in Case No. H-34967 LA, a Decision was rendered revoking the real estate broker license of Respondent but granting Respondent the right to apply for a restricted real estate broker license, effective May 8, 2009.

On February 1, 2016, in Case No. H-38839 LA, a Decision was rendered accepting the voluntary surrender of Respondent's restricted real estate broker license, effective March 9, 2016.

On March 6, 2025, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

The burden of proving rehabilitation rests with the petitioner (Feinstein v. State

19

20

2.1

2.2

23

24

25

26

27

Bar (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and integrity than an applicant for first time licensure. The proof must be sufficient to overcome the prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

I have considered Respondent's petition and the evidence submitted in support thereof.

The Department has developed criteria in Section 2911 of Title 10, California Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for reinstatement of a license. Among the criteria relevant in this proceeding are:

## 2911. Criteria for Rehabilitation

- (a) (1) The time that has elapsed since commission of the acts(s) or offense(s):
- (A) The passage of less than two years after the most recent criminal conviction or act of the applicant that is a cause of action in the Bureau's Statement of Issues against the applicant is inadequate to demonstrate rehabilitation.
- (B) Notwithstanding subdivision (a)(1)(A), above, the two year period may be increased based upon consideration of the following:
- (i) The nature and severity of the crime(s) and/or act(s) committed by the Applicant.

Given the nature and severity of the acts leading to Respondent's two license discipline cases, in addition to Respondent's criminal conviction described below, more time is needed to assess Respondent's rehabilitation.

- (a)(14) Change in attitude from that which existed at the time of the conduct in question as evidenced by the following:
- (E) Absence of subsequent felony convictions, misdemeanor convictions, or other conduct that provides grounds to discipline a real estate licensee, which reflect an inability to conform to societal rules when considered in light of the conduct in question.

On May 1, 2017, before the United States District Court, Central District of California, in Case No. SACR 15-86-AG, Respondent was convicted for violating 18 U.S.C. §§ 1014, 2(a) and 2(b), (False Statement to the Federal Deposit Insurance Corporation, Aiding and Abetting, Causing an Act to be Done).

This felony conviction was subsequent to Respondent's license discipline and involved dishonesty in acts requiring a real estate license.

Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's unrestricted real estate broker license.

4 5

I am satisfied, however, that it will not be against the public interest to issue a restricted real estate broker license to Respondent.

A restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code, if Respondent satisfies the following conditions prior to and as a condition of obtaining a restricted real estate broker license within twelve (12) months from the effective date of this Order:

- 1. Respondent shall qualify for, take and pass the real estate broker license examination.
- 2. Submittal of a completed application and payment of the fee for a real estate broker license.

The restricted license issued to 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 that Code:

- A. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.
- B. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner 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 the restricted license.
- C. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the limitations, conditions or restrictions of a restricted license until three (3) years have elapsed from the date of the issuance of the restricted license to Respondent.
  - D. Respondent shall notify the Commissioner in writing within 72 hours of

1 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Flag 2 Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811. The letter shall set forth the date 3 bf Respondent's arrest, the crime for which Respondent was arrested and the name and address of 4 5 6 the suspension or revocation of that license. 7 8 9 10 11 12 13 14 Business & Professions Code. 15 16 IT IS SO ORDERED 17 18 19 20 21

the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for If Respondent fails to meet the above requirements, and those of sections 10150.6, 10153 and 10153.2 of the California Business & Professions Code, to qualify for the issuance of a real estate broker license, Respondent may be issued a real estate salesperson license if Respondent qualifies for, takes and passes the examination for a real estate salesperson license, submits a completed application and pays the required fee for a salesperson license within the 12 month period following the date of this order, and meets all of the other requirements for issuance of a real estate salesperson license, including but not limited to section 10151 of the California This Order shall become effective at 12 o'cloc

k noon on _	UCI	21	2023	
121				
/				

CHIKA SUNQUIST

REAL ESTATE COMMISSION

By: Marcus L. McCarther

Chief Deputy Real Estate Commissioner

27

22

23

24

25

2.6