

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4
5 (213) 576-6982
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FILED
APR 28 2009
DEPARTMENT OF REAL ESTATE

R. McDebb

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-35396 LA
12)
13 JERRY ALLEN JONES,) L-2009031093
14)
15) Respondent.) STIPULATION AND AGREEMENT

16 It is hereby stipulated by and between JERRY ALLEN
17 JONES, (sometimes referred to as Respondent), and the
18 Complainant, acting by and through Shari Sveningson, Counsel for
19 the Department of Real Estate, as follows for the purpose of
20 settling and disposing of the Accusation filed on October 20,
21 2008, in this matter.

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

1 Stipulation and Agreement.

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

6 3. On February 4, 2009, Respondent filed a Notice of
7 Defense, pursuant to Section 11506 of the Government Code for the
8 purpose of requesting a hearing on the allegations in the
9 Accusation. Respondent hereby freely and voluntarily withdraws
10 said Notice of Defense. Respondent acknowledges that he
11 understands that by withdrawing said Notice of Defense he will
12 thereby waive his right to require the Commissioner to prove the
13 allegations in the Accusation at a contested hearing held in
14 accordance with the provisions of the APA and that he will waive
15 other rights afforded to him in connection with the hearing, such
16 as the right to present evidence in defense of the allegations in
17 the Accusation and the right to cross-examine witnesses.

18 4. Respondent, pursuant to the limitations set forth
19 below, hereby admits that the factual allegations set forth in
20 the Accusation filed in this proceeding are true and correct and
21 the Real Estate Commissioner shall not be required to provide
22 further evidence of such allegations.

23 5. It is understood by the parties that the Real
24 Estate Commissioner may adopt the Stipulation and Agreement as
25 his decision in this matter, thereby imposing the penalty and
26 sanctions on Respondent's real estate licenses and license rights
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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent JERRY ALLEN JONES, under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within 90 days from the effective date of this Decision.

The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following conditions, limitations and restrictions imposed under the authority of Section 10156.6 of the Code:

1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the 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 salesperson licensee.

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

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1 3. Respondent shall not be eligible to apply for
2 issuance of and unrestricted real estate salesperson license nor
3 for the removal of any of the conditions, limitations or
4 restrictions of a restricted license until two (2) years have
5 elapsed from the effective date of this Decision.

6 4. Respondent shall submit with any application
7 for license under an employing broker, or any application for
8 transfer to a new employing broker, a statement signed by the
9 prospective employing real estate broker, on a form approved by
10 the Department, which shall certify:

11 (a) That the employing broker has read the Decision
12 of the Commissioner which granted the right to a restricted
13 license; and

14 (b) That the employing broker will exercise close
15 supervision over the performance by the restricted licensee
16 relating to activities for which a real estate salesperson
17 license is required.

18 5. Respondent shall, within nine (9) months from the
19 effective date of this Decision, present evidence satisfactory
20 to the Commissioner that Respondent has, since the most recent
21 issuance of an original or renewal real estate salesperson
22 license, taken and successfully completed the continuing
23 education requirements of Article 2.5 of Chapter 3 of the Real
24 Estate Law for renewal of a real estate salesperson license. If
25 Respondent fails to satisfy this condition, the Commissioner may
26 order the suspension of the restricted license until Respondent
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1 presents such evidence. The Commissioner shall afford
2 Respondent the opportunity for a hearing pursuant to the APA to
3 present such evidence.

4
5 6. Six months after the issuance of the restricted
6 license, and at six month intervals thereafter during the term
7 of any restricted license issued pursuant to this Decision,
8 Respondent shall provide proof acceptable to the Real Estate
9 Commissioner that, during the preceding six months, Respondent
10 has, each and every week, attended one or more sessions of
11 Alcoholics Anonymous or similar Twelve Step or substance abuse
12 program, or that such attendance in any week was impractical due
13 to travel for work, the illness of Respondent or a member of
14 Respondent's family, vacation, incarceration, residential
15 treatment for substance abuse, extreme personal hardship for
16 Respondent or a member of Respondent's family, or family
17 emergency. Respondent shall submit such proof to the Los Angeles
18 Crisis Response Team Manager of the Department of Real Estate.

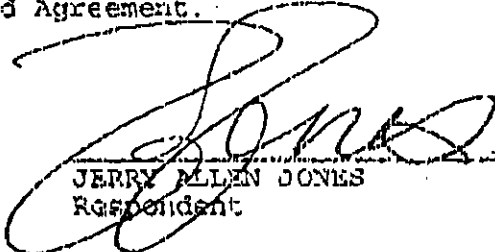
19 The Commissioner may suspend the restricted license to
20 Respondent pending a hearing held in accordance with Section
21 11500 et seq., of the Government Code, if such proof is not
22 timely submitted as provided for herein, or as provided for in a
23 subsequent agreement between the Respondent and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

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I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 12513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of its signature page, as actually signed by Respondent to the Department at the following telephone/fax number (213) 576-5917. Respondent agrees, acknowledges, and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 4/8/09


JERRY ALLEN JONES
Respondent

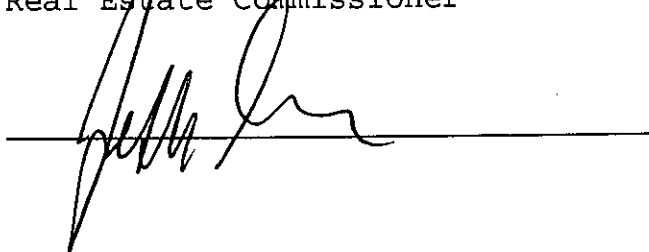
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become effective
at 12 o'clock noon on MAY 18, 2009.

IT IS SO ORDERED 4-21-, 2009.

JEFF DAVIS
Real Estate Commissioner



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FILED
DEC - 3 2008
DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-35396 LA
JERRY ALLEN JONES,)
Respondent.)

ORDER SUSPENDING RESTRICTED REAL ESTATE LICENSE

TO: JERRY ALLEN JONES
24048 Via Sereno
Valencia, CA 91354

On April 14, 2007, a restricted real estate salesperson license was issued by the Department of Real Estate to Respondent on the terms, conditions and restrictions set forth in the Department of Real Estate Decision of April 3, 2007, in Case No. H-33029 LA. This Decision, which became effective April 3, 2007, granted Respondent the right to the issuance of a restricted real estate salesperson license subject to the provisions of Section 10156.7 of the Business and Professions Code and to enumerated additional terms, conditions and

1 restrictions imposed under authority of Section 10156.5 of said
2 Code. Among those terms, conditions and restrictions, Respondent
3 was required to submit proof of attendance at Alcoholics
4 Anonymous or a similar substance abuse program. The Commissioner
5 has determined that Respondent has violated this condition, and
6 as such, is in violation of Section 10177(k) of the Business and
7 Professions Code.

8 NOW, THEREFORE, IT IS ORDERED under authority of
9 Section 10156.7 of the Business and Professions Code of the State
10 of California that the restricted real estate salesperson license
11 heretofore issued to Respondent and the exercise of any
12 privileges thereunder are hereby suspended pending final
13 determination made after hearing on the aforesaid Accusation.

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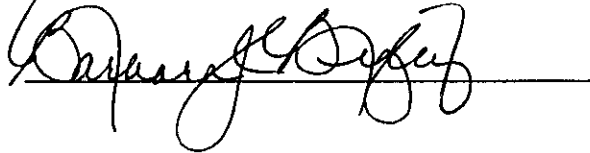
1 IT IS FURTHER ORDERED that all license certificates and
2 identification cards issued by Department which are in the
3 possession of Respondent be immediately surrendered by personal
4 delivery or by mailing in the enclosed, self-addressed envelope
5 to:

6 Department of Real Estate
7 Attn: Flag Section
8 P. O. Box 187000
9 Sacramento, CA 95818-7000
10

11 This Order shall be effective immediately.

12 DATED: 11-24-08

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14 JEFF DAVI
15 Real Estate Commissioner

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18 BY: Barbara J. Bigby
19 Chief Deputy Commissioner
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Shari

FILED
OCT 20 2008
DEPARTMENT OF REAL ESTATE
[Signature]

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SHARI SVENINGSON, Counsel (SBN 195298)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6907

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-35396 LA
)
JERRY ALLEN JONES,) A C C U S A T I O N
)
Respondent.)

The Complainant, Robin Trujillo, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against JERRY ALLEN JONES ("Respondent"), is informed and
alleges in her official capacity as follows:

1.

Respondent is presently licensed by the Department of
Real Estate of the State of California ("Department") as a
restricted real estate salesperson under the Real Estate Law,
Part 1 of Division 4 of the California Business and Professions
Code ("Code").

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2.

1 On or about April 14, 2007, Respondent was first
2 issued a restricted real estate salesperson license by the
3 Department on the terms, conditions and restrictions set forth
4 in the Real Estate Commissioner's Order in Case No. H-33029 LA.
5

6 3.

7 Included in said terms, conditions, and restrictions,
8 were the following:

9 "5. Six months after the issuance of the
10 restricted license, and at six month
11 intervals thereafter during the term of any
12 restricted license issued pursuant to this
13 Decision, Respondent shall provide proof
14 acceptable to the Real Estate Commissioner
15 that, during the preceding six months,
16 Respondent has, each and every week, attended
17 one or more sessions of Alcoholics Anonymous
18 or similar Twelve Step or substance abuse
19 program, or that such attendance in any week
20 was impractical due to travel for work, the
21 illness of Respondent or a member of
22 Respondent's family, vacation, incarceration,
23 residential treatment for substance abuse,
24 extreme personal hardship for Respondent or a
25 member of Respondent's family, or family
26 emergency. Respondent shall submit such proof
27 to the Los Angeles Crisis Response Team
Manager of the Department of Real Estate.

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

4.

1 Respondent has failed to submit proof of one or more
2 sessions of Alcoholics Anonymous or similar Twelve Step or
3 substance abuse program, or that such attendance in any week was
4 impractical due to travel for work, the illness of Respondent or
5 a member of Respondent's family, vacation, incarceration,
6 residential treatment for substance abuse, extreme personal
7 hardship for Respondent or a member of Respondent's family, or
8 family emergency six months after the issuance of the restricted
9 license or at any six month interval thereafter.
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11 5.

12 The facts set forth above are grounds for the
13 suspension or revocation of Respondent's restricted real estate
14 salesperson license and all license rights under Code Section
15 10177(k).
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and, that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and/or license rights of Respondent,
5 JERRY ALLEN JONES, under the Real Estate Law (Part 1 of Division
6 4 of the Business and Professions Code) and for such other and
7 further relief as may be proper under other applicable
8 provisions of law.

9 Dated at Los Angeles, California

10 this 15 day of October, 2008.

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13 Deputy Real Estate Commissioner
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24 CC: JERRY ALLEN JONES
25 Solution One Financial
26 Robin Trujillo
27 Sacto.