

of Defense were mailed by certified mail, return receipt requested, to Respondent on September 28, 2009. On October 7, 2009, a second attempt at service was made by regular mail to Respondent.

On February 2, 2010, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code as a real estate salesperson. Respondent was first licensed by the Department of Real Estate of the State of California as a real estate salesperson on or about February 23, 2005.

3.

On or about December 16, 2008, in the Superior Court of California, County of Los Angeles, Case No. 8S404457, Respondent was convicted of violating California Penal Code Section 485 (theft of lost property), a misdemeanor.

4.

The evidence established that the crimes of which Respondent was convicted were substantially related to the qualifications, functions and duties of a real estate licensee.

DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

2.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

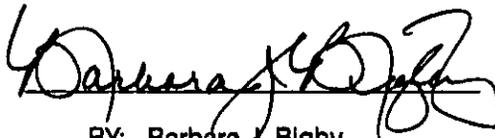
ORDER

The license and license rights of Respondent
WILL FITZGERALD STATEN under the provisions of Part I of
Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock
noon on JUN 28 2010.

DATED: 6/1/10

JEFF DAVI
Real Estate Commissioner



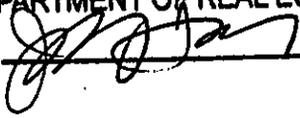
BY: Barbara J. Bigby
Chief Deputy Commissioner

1 Department of Real Estate
320 West Fourth Street, Suite 350
2 Los Angeles, California 90013-1105
3 (213) 576-6982

FILED

FEB - 2 2010

DEPARTMENT OF REAL ESTATE

BY: 

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of)
12 WILL FITZGERALD STATEN,)
13 Respondent.)

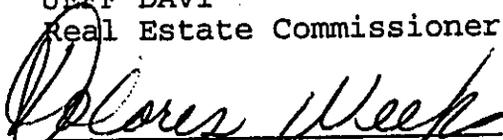
NO. H-36278 LA

DEFAULT ORDER

14
15 Respondent, WILL FITZGERALD STATEN, having failed to
16 file a Notice of Defense within the time required by Section
17 11506 of the Government Code, is now in default. It is,
18 therefore, ordered that a default be entered on the record in
19 this matter.

20 IT IS SO ORDERED 2nd day of February, 2010.

21
22 JEFF DAVI
Real Estate Commissioner

23 
24 By: DOLORES WEEKS
25 Regional Manager
26
27

1 JULIE L. TO, Counsel (SBN 219482)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6916

FILED

SEP 28 2009

DEPARTMENT OF REAL ESTATE

BY: 

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-36278 LA
12 WILL FITZGERALD STATEN,) A C C U S A T I O N
13 Respondent.)
14

15
16 The Complainant, Joseph Aiu, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against WILL FITZGERALD STATEN, a.k.a. Willie Fitzgerald Staten
19 or Willie Staten ("Respondent"), alleges as follows:

20 1.

21 The Complainant, Joseph Aiu, a Deputy Real Estate
22 Commissioner of the State of California, makes this Accusation
23 in his official capacity.

24 2.

25 Respondent is presently licensed and/or has license
26 rights under the Real Estate Law, Part 1 of Division 4 of the
27

1 California Business and Professions Code ("Code"), as a real
2 estate salesperson.

3 3.

4 On or about December 16, 2008, in the Superior Court
5 of the State of California, County of Los Angeles, Case No.
6 8S404457, Respondent was convicted of violating California Penal
7 Code Section 485 (theft of lost property), a misdemeanor.
8 Respondent was sentenced to two years probation; ordered to pay
9 fines; and ordered to perform 10 days of Cal Trans community
10 service.

11 4.

12 This conviction, by its facts and circumstances, is a
13 crime of moral turpitude and bears a substantial relationship
14 under Section 2910, Title 10, Chapter 6, California Code of
15 Regulations to the qualifications, functions or duties of a real
16 estate licensee.

17 5.

18 The crime of which Respondent was convicted
19 constitutes cause under Sections 490 and 10177(b) of the Code
20 for the suspension or revocation of the license and license
21 rights of Respondent under the Real Estate Law.

22 ///

23 ///

24 ///

25 ///

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