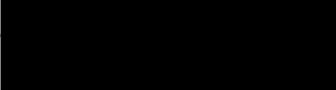


FILED

JAN 22 2026

DEPT. OF REAL ESTATE

By- 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of:)	DRE No. H-43150 LA
)	
MOLLY JANE HILKEN,)	OAH No. 2025070682
)	
Respondent.)	

DECISION

The Proposed Decision dated October 29, 2025, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The application for a real estate salesperson license is denied, but the right to a restricted real estate salesperson license is granted to Respondent.

Pursuant to Government Code Section 11521, the Department of Real Estate may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire thirty (30) days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license or to the reduction of a penalty is controlled by Section 11522 of the Government Code. A copy of Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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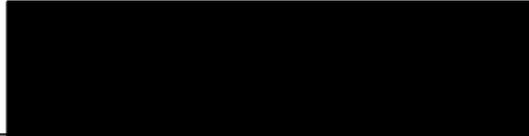
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If and when a petition for removal of restrictions is filed, all competent evidence of rehabilitation presented by the Respondent will be considered by the Real Estate Commissioner.

This Decision shall become effective at 12 o'clock noon on February 11, 2026

IT IS SO ORDERED 1/16/2026

Chika Sunquist
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

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

In the Matter of the Statement of Issues of:

MOLLY JANE HILKEN,

Respondent.

Agency Case No. H-43150 LA

OAH No. 2025070682

PROPOSED DECISION

Nana Chin, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on September 30, 2025.

Complainant Ray Dagnino, Supervising Special Investigator, was represented by Diane Lee, Counsel for the Department of Real Estate (Department). Molly Jane Hilken (respondent) appeared and represented herself.

SUMMARY

Complainant seeks to deny Respondent's application for a real estate salesperson license based on Respondent's March 6, 2024, conviction for violating Penal Code section 273.5, subdivision (a) (infliction of corporal injury on a dating partner), a crime that is substantially related to the qualifications, functions, and duties

of a real estate licensee. At hearing, Respondent established sufficient rehabilitation that outright denial of Respondent's license application is not warranted. The recency of the misconduct, however, merits further monitoring, and therefore issuance of a restricted license is necessary and appropriate to protect the public interest.

FACTUAL FINDINGS

Jurisdictional Matters

1. On September 17, 2024, Respondent filed an application with the Department for a real estate salesperson license (Application).
2. Complainant, acting in his official capacity as a Supervising Special Investigator for the Department, filed the Statement of Issues in the above-captioned matter on July 7, 2025, seeking the denial of the Application under Business and Professions Code sections 475, subdivisions (a)(2), 480, subdivisions (a)(1), and 10177, subdivision (b) (conviction of a substantially-related crime).
3. Respondent filed a timely Notice of Defense, and this hearing ensued.

Criminal Conviction

4. On March 6, 2024, in the Superior Court of California, County of Riverside, Case Number SWF2301299, Respondent was convicted of violating Penal Code section 273.5, subdivision (a) (inflicting corporal injury on a spouse or someone with whom defendant has a dating relationship), a felony. Respondent was sentenced, in part, to 36 months of formal probation, 90 days in jail or residential rehabilitation, completion of a 52-week domestic violence program, and payment of fines and fees.

5. On September 9, 2025, the court reduced the felony to a misdemeanor, converted the formal probation to summary probation, and waived the outstanding fines and fees.

6. The facts and circumstances underlying the conviction are that, on August 30, 2023, Respondent, while armed with a knife, inflicted corporal injury on R.C., with whom she was in a dating relationship.

7. Riverside County Sheriff's deputies were dispatched to R.C.'s residence in Temecula after a report that a person armed with a knife was throwing rocks and banging on the home. According to the sheriff's report, the deputy who took R.C.'s statement observed he had a red, approximately one-inch scratch on his shoulder, which was consistent with a sharp instrument injury. R.C. gave the deputy his statement, while continuing to drink wine, stating that he and Respondent had been drinking when an argument began over accusations he had called another woman. He stated Respondent then took his phone, went into the kitchen, retrieved a kitchen knife, and swung it at him. R.C. said he disarmed Respondent without injury, after which she followed him through the house verbally assaulting him until he locked her outside. At this point, Respondent began throwing rocks at his windows and pounding on the front door and garage and he contacted law enforcement. R.C. stated that he believed Respondent, who had left before deputies arrived, might return as she lived at a sober living home in San Diego (she had recently relapsed) and he had her phone and purse. Based on his observation and R.C.'s statement, the deputy offered R.C. an emergency Protective Order, which he accepted.

8. Deputies remained at the scene, and, about an hour later, Respondent returned, crying, incoherent, and smelling strongly of alcohol. The deputy attempted

to advise her of her Miranda rights, but she refused to acknowledge the advisement, and no statement was taken from Respondent.

Factor in Aggravation

9. On April 24, 2015, in the Circuit Court of Oregon, County of Clackamas, Case Number CR1411174, Respondent was convicted of driving under the influence (DUI) in violation of Oregon Revised Statutes section 813.010. The facts and circumstances underlying the conviction were that on April 10, 2014, Respondent drove her vehicle while under the influence of alcohol.

Respondent's Evidence

10. Respondent admits she has a longstanding problem with alcohol. After her 2014 DUI conviction, she stopped driving after drinking but did not recognize she had an alcohol use problem until 2018. She initially tried to address it by attending Alcoholics Anonymous (AA) and began seeking more extensive treatment in 2020. Before the August 2023 incident, Respondent entered ABC Sober Living/Soledad House (Soledad) in San Diego but relapsed.

11. Respondent's account of the August 30, 2023, incident differed in some respects from R.C.'s statement. She testified that she had been in a volatile and emotionally abusive relationship with R.C., which included a recurring pattern in which he would become "paranoid," take her phone, and lock her in the garage while he tried to access her data. On that night of the incident, she stated she was intoxicated and not thinking clearly; when R.C. took her phone, she grabbed a kitchen knife thinking she could intimidate him into returning it. R.C. disarmed her, locked her in his garage and called the police. Respondent characterizes that incident as one of the most "gut-wrenching" experiences of her life.

12. After the August 30, 2023 incident, Respondent recommitted to her sobriety. She returned to Soledad and entered its residential treatment program on September 7, 2023. The program included several random drug and alcohol tests per week (with which she remained in full compliance) and coursework addressing relapse triggers and warning signs. (Exh. A.) She completed the program on November 24, 2023.

13. To prevent another relapse, Respondent has layered multiple supports and safeguards. She continues to attend AA regularly (currently attending virtual meetings due to her schedule), has built a social circle around recovery and service, and participates in weekly therapy with a clinician specializing in alcohol and addiction. Approximately six months after starting therapy, Respondent ended contact with R.C., recognizing the relationship as emotionally abusive and inconsistent with her recovery.

14. Respondent has completed the actionable terms of probation and partially paid the court fines and fees. As noted above, the court reduced her offense to a misdemeanor, converted probation to summary probation, and waived the outstanding fines and fees on September 9, 2025. Respondent has an expungement hearing set for October 2025.

15. Respondent's rehabilitation also includes employment and education tied to accountability and service. She studied for and passed the California real estate exam and seeks licensure to serve clients ethically and build a stable career. While pursuing licensure, she worked as a restaurant host and then at a small recovery center. When that center closed, Respondent found work at the front desk of an occupational-therapy (OT) clinic but then returned to treatment work, realizing she wanted to continue to help others in recovery. In February 2025, she began working as a behavioral health technician at New Leaf Detox & Treatment (New Leaf) and earned

her Substance Use Disorder Registered Counselor certification in March 2025. She views her work both as a daily reminder of the consequences of alcohol and as a way to help others the way she had been helped. Respondent hopes to continue her work as a counselor while working as a real estate salesperson.

16. Respondent's living situation also reinforces her sobriety. After completing the residential treatment program at Soledad, Respondent remained in sober living, first at Agape House in Costa Mesa, and, since June 2024, at Erika's Lighthouse in Huntington Beach. Erika's Lighthouse houses six other women in recovery and requires nightly (breathalyzer) and random (urine analysis) testing and accountability (residents must work, volunteer, or participate in outpatient care). Respondent reports her intention to remain at Erika's Lighthouse for at least six more months.

Character Reference Letters

17. Respondent submitted several letters of reference including letters from Ashlee Griebel, Director of Operations at Soledad, Erika Galliver, owner of Erika's Lighthouse, and Kerri Sharoni, House Manager of Erika's Lighthouse. These letters describe Respondent's consistent compliance house rules and conditions of residency and commend her attitude and engagement in recovery.

18. Respondent also submitted letters from members of her recovery support network. These writers attest to her compassion towards others, reliability, and sustained commitment to sobriety.

19. Finally, Drake Coomer, Respondent's current supervisor at New Leaf Detox and Treatment, provided a letter describing her as a "dependable and

responsible employee" who brings "patience, empathy, and a high level of accountability" into every interaction. (Exh. L.)

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. Respondent bears the burden of proving that she meets all the prerequisites necessary for the requested license. (See *Martin v. Alcoholic Beverage Control Appeals Board* (1959) 52 Cal.2d 259, 265.) The standard of proof required is a preponderance of the evidence. (Evid. Code, § 115), which means "'evidence that has more convincing force than that opposed to it.' [Citation.]" (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

Cause for Denial

2. Under Business and Professions Code sections 475, subdivision (a)(2), 480, subdivision (a)(1), and 10177, subdivision (b)(1), the Real Estate Commissioner may deny a real estate salesperson license to an applicant for conviction of a crime that is substantially related to the qualifications, functions, or duties of a real estate licensee.

3. Respondent's 2024 felony conviction for violating Penal Code section 273.5 (inflicting corporal injury on a dating partner) bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee under California Code of Regulations (CCR), title 10, section 2910, subdivision (a)(8), in that her conviction involved conduct with the intent or threat of doing substantial injury to R.C.

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4. Based on Factual Findings 4 through 8 and Legal Conclusions 2 and 3, cause exists to deny Respondent's Application, because Respondent was convicted of a crime substantially related to the qualifications, functions, or duties of a real estate license.

Rehabilitation/Mitigation

5. CCR, title 10, section 2911, subdivision (a), sets forth the criteria to be considered by the Department in evaluating whether an applicant is rehabilitated for purposes of issuance of a license. The criteria include: whether a minimum of two years have passed since the most recent conviction or act; any restitution the applicant has made; expungement of convictions; successful completion of probation; abstinence from the use of alcohol for at least two years if the conduct forming a basis to deny the license is attributable in part to alcohol use; payment of fines imposed in connection with a criminal conviction; stability of family life and fulfillment of familial responsibilities; completion of educational courses taken for economic self-improvement; involvement in community programs designed to provide social benefits; new and different social and business relationships; and changes in attitude as reflected by, for example, testimony by the applicant, evidence from family members or others familiar with respondent's previous conduct, any changes in behavior, and the absence of subsequent convictions. (CCR, tit. 10, § 2911.)

6. Respondent's criminal conviction and the underlying conduct are both recent and serious. Less than two years have passed since Respondent's March 6, 2024 felony conviction, and at the time of hearing she was scheduled to remain on probation until March 6, 2027. Respondent completed the actionable terms of criminal probation; the court reduced the felony to a misdemeanor and converted formal probation to summary probation. After the incident, she returned to Soledad, entered

its residential program, and completed it in full compliance. She then chose to remain in sober living, where she is subject to nightly and random testing, employment/volunteering requirements, and ongoing accountability. She reports continuous sobriety since August 30, 2023, supported by regular AA participation and weekly therapy. Respondent has rebuilt a recovery-supportive social circle, ended contact with her former boyfriend, and, while pursuing her real-estate license, obtained a Substance Use Disorder Registered Counselor credential in March 2025. Her supervisor describes her as dependable and accountable.

7. That said, the recency of both Respondent's criminal conviction and her sobriety weighs against unfettered licensure. Issuing a restricted salesperson license would allow for closer monitoring while acknowledging Respondent's credible and sustained rehabilitation, and it is appropriate to protect the public.

ORDER

Respondent Molly Jane Hilken' 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 Respondent shall be subject to all 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:

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.

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 three years have elapsed from the date of issuance of the restricted license to Respondent.

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:

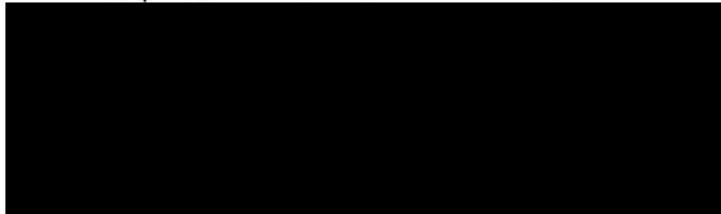
(a) That the employing broker has read the Decision which is the basis for the issuance of the restricted license; and

(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.

4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of respondent's arrest, the crime for which respondent was arrested, and the

name and address of 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 the suspension or revocation of that license.

DATE: 10/29/2025



NANA CHIN

Administrative Law Judge

Office of Administrative Hearings