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FILED

NOV 30 2007

DEPARTMENT OF REAL ESTATE

By Jean Brumby

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	No. H-8471 SF
KEVIN CHRISTOPHER REILLY,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On September 15, 2003, a Decision was rendered herein denying the Respondent's application for real estate salesperson license, 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 October 23, 2003, and Respondent has operated as a restricted licensee since that time.

On May 29, 2007, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

1 I have considered Respondent's Petition and the
2 evidence submitted in support thereof including Respondent's
3 record as a restricted licensee. Respondent has demonstrated to
4 my satisfaction that Respondent meets the requirements of law for
5 the issuance to Respondent of an unrestricted real estate
6 salesperson license and that it would not be against the public
7 interest to issue said license to Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's
9 petition for removal of restrictions is granted and that a real
10 estate salesperson license be issued to Respondent subject to the
11 following understanding and conditions:

12 1. The license issued pursuant to this order shall be
13 deemed to be the first renewal of respondent's real estate
14 salesperson license for the purpose of applying the provisions of
15 Section 10153.4.

16 2. Within nine (9) months from the date of this order
17 respondent shall:

18 (a) Submit a completed application and pay the
19 appropriate fee for a real estate salesperson license, and

20 (b) Submit evidence of having taken and successfully
21 completed the courses specified in subdivisions (a) (1), (2), (3)
22 and (4) of Section 10170.5 of the Real Estate Law for renewal of
23 a real estate license.

24 3. Upon renewal of the license issued pursuant to this
25 order, respondent shall submit evidence of having taken and
26 successfully completed the continuing education requirements of

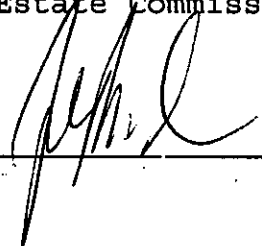
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1 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
2 real estate license.

3 This Order shall become effective immediately,

4 IT IS SO ORDERED 11-13-07, 2007.

5 JEFF DAVI
6 Real Estate Commissioner

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1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and
4 request that the Real Estate Commissioner in her discretion issue a restricted real estate salesperson license
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and
7 Professions Code.

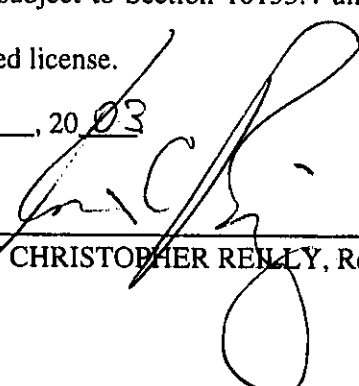
8 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the
9 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
10 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate
11 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a
12 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

13 I further understand that the following conditions, limitations, and restrictions will attach to a
14 restricted license issued by the Department of Real Estate pursuant hereto:

- 15 1. The license shall not confer any property right in the privileges to be exercised including the
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
17 to exercise any privileges granted under this restricted license in the event of:
 - 18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 20 b. The receipt of evidence that respondent has violated provisions of the California Real
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until two years have elapsed from the date of issuance of the restricted license to respondent.
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- 1 3. With the application for license, or with the application for transfer to a new employing broker, I
2 shall submit a statement signed by the prospective employing broker on a form approved by the
3 Department of Real Estate wherein the employing broker shall certify as follows:
- 4 a. That broker has read the Statement of Issues which is the basis for the issuance of the
5 restricted license; and
- 6 b. That broker will carefully review all transaction documents prepared by the restricted
7 licensee and otherwise exercise close supervision over the licensee's performance of acts
8 for which a license is required.
- 9 4. My restricted real estate salesperson license is issued subject to the requirements of Section
10 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18)
11 months of the issuance of the restricted license, to submit evidence satisfactory to the
12 Commissioner of successful completion, at an accredited institution, of two of the courses listed
13 in Section 10153.2, other than real estate principles, advanced legal aspects of real estate,
14 advanced real estate finance, or advanced real estate appraisal. If I fail to timely present to the
15 Department satisfactory evidence of successful completion of the two required courses, the
16 restricted license shall be automatically suspended effective eighteen (18) months after the date
17 of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted
18 license, I have submitted the required evidence of course completion and the Commissioner has
19 given written notice to me of the lifting of the suspension.
- 20 5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license
21 under Section 10153.4, I shall not be entitled to renew the restricted license, and shall not be
22 entitled to the issuance of another license which is subject to Section 10153.4 until four years
23 after the date of the issuance of the preceding restricted license.

24 DATED this 25 day of AUGUST, 2003

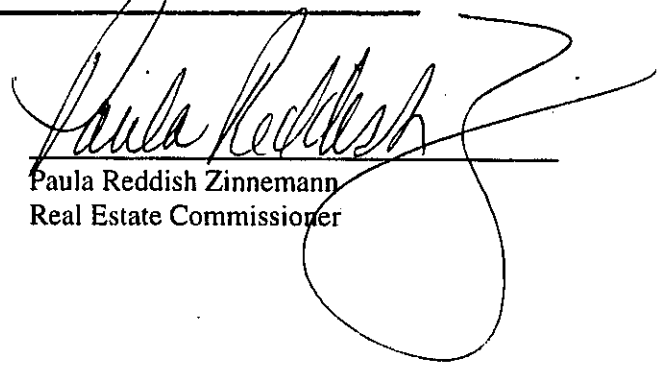
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27 KEVIN CHRISTOPHER REILLY, Respondent

1 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and
3 truthfulness of respondent need not be called and that it will not be inimical to the public interest to issue a
4 restricted real estate salesperson license to respondent.

5 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
6 respondent KEVIN CHRISTOPHER REILLY if respondent has otherwise fulfilled all of the statutory
7 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
8 the foregoing Stipulation and Waiver.

9 This Order is effective immediately.

10 DATED this 15th day of September, 2003.

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14 Paula Reddish Zinnemann
15 Real Estate Commissioner
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
AUG - 5 2003

DEPARTMENT OF REAL ESTATE

Lucie P. Ziri

In the Matter of the Application of

KEVIN CHRISTOPHER REILLY,

}

Case No. H-8471 SF

OAH No.

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, 1515 CLAY STREET, SUITE 206, OAKLAND, CA 94612 on WEDNESDAY, OCTOBER 8, 2003, at the hour of 9:00 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 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.

Dated: AUGUST 5, 2003

DEPARTMENT OF REAL ESTATE
By *James L. Beaver*
JAMES L. BEAVER, Counsel

1 DAVID A. PETERS, Counsel (SBN 99528)
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789
6 -or- (916) 227-0781 (Direct)

FILED
JUL 22 2003

DEPARTMENT OF REAL ESTATE

Laurie A. Zui

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 KEVIN CHRISTOPHER REILLY,) No. H-8471 SF
13 Respondent.) STATEMENT OF ISSUES
14)

15 The Complainant, Les R. Bettencourt, a Deputy Real
16 Estate Commissioner of the State of California, or Statement of
17 Issues against KEVIN CHRISTOPHER REILLY (hereinafter
18 "Respondent") is informed and alleges as follows:


19 I

20 Respondent, pursuant to the provisions of Section
21 10153.3 of the Business and Professions Code, made application
22 to the Department of Real Estate of the State of California for
23 a real estate salesperson license on or about January 30, 2003
24 with the knowledge and understanding that any license issued as
25 a result of said application would be subject to the conditions
26 of Section 10153.4 of the Business and Professions Code.

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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of a real estate broker license to Respondent, and for such other and further relief as may be proper in the premises.


LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 1st day of July, 2003.