



1           On November 6, 2006 Respondent petitioned for  
2 reinstatement of Respondent's real estate salesperson license.  
3 The Attorney General of the State of California has been given  
4 notice of the filing of Respondent's petition.

5           I have considered Respondent's petition and the  
6 evidence and arguments submitted in support thereof. Respondent  
7 has demonstrated to my satisfaction that Respondent meets the  
8 requirements of law for the issuance to Respondent of an  
9 unrestricted real estate salesperson license and that it would  
10 not be against the public interest to issue said license to  
11 Respondent.

12           NOW, THEREFORE, IT IS ORDERED that Respondent's  
13 petition for reinstatement is granted and that a real estate  
14 salesperson license be issued to Respondent, if Respondent  
15 satisfies the following conditions within nine (9) months from  
16 the date of this Order:

17           1. Submittal of a completed application and payment  
18 of the fee for a real estate salesperson license.

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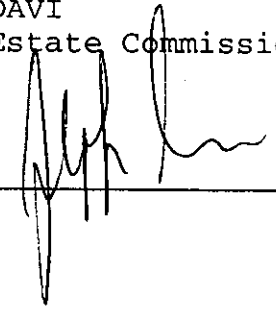
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2. Submittal of evidence of having, since the most  
recent issuance of an original or renewal real estate license,  
taken and successfully completed the continuing education  
requirements of Article 2.5 of Chapter 3 of the Real Estate  
Law for renewal of a real estate license.

This Order shall be effective immediately.

Dated: 9/28/02

JEFF DAVI  
Real Estate Commissioner

  
\_\_\_\_\_

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By Laura B. Chou

\* \* \* \* \*

|                                      |                |
|--------------------------------------|----------------|
| In the Matter of the Accusation of ) | No. H-26932 LA |
| DOUGLAS CARRILLO, )                  | L-9701078      |
| )                                    |                |
| )                                    |                |
| )                                    |                |
| Respondent. )                        |                |
| _____ )                              |                |

DECISION

The Proposed Decision dated April 2, 1997, 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 Decision suspends or revokes one or more real estate licenses on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

This Decision shall become effective at 12 o'clock  
noon on June 4, 1997.

IT IS SO ORDERED May 12, 1997

JIM ANTT, JR.  
Real Estate Commissioner

John R. Liberator

BY: **John R. Liberator**  
**Chief Deputy Commissioner**



which respondent was convicted bears a substantial relationship to the qualifications, functions and duties of a real estate licensee and involves moral turpitude.

B. The evidence reflects that respondent was employed as an accountant in a law office, wherein staged automobile accidents were planned. The evidence reflects that respondent was only marginally involved although aware of the activity surrounding him. He did not participate in such activity and did not profit from same. Respondent is remorseful for his involvement and cooperated fully with officials.

\* \* \* \* \*

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

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

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The Real Estate salesperson's license of respondent Douglas Carrillo is hereby revoked; provided, however, a restricted real estate salesperson's license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code upon application and payment of the appropriate fee to the Department of Real Estate within sixty (60) days from the effective date of the Decision.

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 said Code:

1. Respondent shall obey and comply with all of the California Real Estate Laws and the rules and regulations promulgated pursuant thereto as may be applicable to him.

2. Respondent shall report in writing to the Department of Real Estate, as the Real Estate Commissioner shall direct, by his Decision herein or by separate written order issued while the restricted license is in effect, such

information concerning respondent's activities for which a real estate license is required, as the Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but shall not be limited to periodic independent accountings of trust funds in the custody and control of respondent and periodic summaries of salient information concerning each real estate transaction in which the respondent engaged during the period covered by the report.

3. The above restrictions and conditions shall apply to any and all licenses of the same class hereinafter issued to respondent.

4. Respondent shall, within six months from the effective date of the restricted license, take and pass the Professional Responsibility Examination administered by the Department, including the payment of the appropriate examination fee. If respondent fails to satisfy this condition, the Commissioner may order suspension of the restricted license until respondent passes the examination.

5. The license shall not confer any property right in the privileges to be exercised including the right of renewal, 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) to a crime which bears a substantial relationship 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.

6. 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.

7. 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 broker on a form approved by the Department of Real Estate wherein the employing broker shall certify as follows:

- a. That broker has read the Decision which is the basis for the issuance of the restricted license; and
- b. That 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.

8. Respondent shall, within twelve (12) months from the effective date of the Decision, present evidence satisfactory to the Real Estate Commissioner that he has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the respondent presents such evidence. The Commissioner shall afford respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

DATED: April 15, 1997



MILFORD A. MARON  
Administrative Law Judge  
Office of Administrative Hearings

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

**FILED**  
JAN 30 1997  
DEPARTMENT OF REAL ESTATE

\* \* \* \*

In the Matter of the Accusation of )  
 )  
 DOUGLAS CARRILLO, )  
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 )  
 \_\_\_\_\_ )  
 Respondent. )

Case No. H-26932 LA  
OAH No. L-9701078  
By Laura B. Orera

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on MARCH 18, 1997, at the hour of 9:00 a.m. or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

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.

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. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: JAN 30 1997

DEPARTMENT OF REAL ESTATE

By: James R. Peel  
JAMES R. PEEL, Counsel

cc: Douglas Carrillo  
Michael A. Lanphere, Esq.  
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III

At all times herein mentioned, respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson.

IV

On or about September 10, 1996, in the Municipal Court of the State of California, County of Los Angeles, respondent was convicted of violating Penal Code Section 550 (B)(1) (assist in insurance fraud), a crime involving moral turpitude.

V

The crime of which respondent was convicted bears a substantial relationship to the qualifications, functions or duties of a real estate licensee.

VI

Respondent's criminal conviction is cause under Sections 490 and 10177(b) of the Business and Professions Code for suspension or revocation of all licenses and license rights of respondent under the Real Estate Law.

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WHEREFORE, complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of respondent DOUGLAS CARRILLO under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California  
this 15th day of November, 1996

THOMAS McCRADY  

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Deputy Real Estate Commissioner

cc: Douglas Carrillo  
Sacto.  
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lbo