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DEC 17 2004  
DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of )  
PENNY ADAMS, ) NO. H-31151 LA  
Respondent. )

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of PENNY ADAMS (hereinafter "Respondent"), in connection with Respondent's application for a real estate salesperson license filed on February 11, 2003, and in relation thereto, filed a Statement of Issues on August 11, 2004.

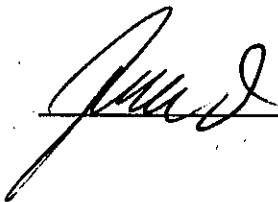
Said Statement of Issues was properly served on Respondent on or about August 11, 2004, and Respondent has, to date, failed to file a Notice of Defense, request a hearing or otherwise establish that she is entitled to the license sought.

1                    IT IS THEREFORE ORDERED, pursuant to the authority  
2 granted under Section 11520 of the Government Code of the  
3 State of California, that the application of PENNY ADAMS,  
4 for a real estate salesperson license is hereby denied.

5                    This Order is effective immediately.

6                    DATED: December 14- 2004 .

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8                    JEFF DAVI  
9                    Real Estate Commissioner

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1 MARTHA J. ROSETT, Counsel (SBN 142072)  
2 Department of Real Estate  
3 320 West Fourth St. #350  
4 Los Angeles, CA 90013

**FILED**  
AUG 11 2004  
DEPARTMENT OF REAL ESTATE

4 (213) 576-6982  
5 (213) 576-6907



7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 \* \* \* \*

10 In the Matter of the Application of)	No. H-31151 LA
11 PENNY ADAMS,	)
12 Respondent.	)
13 )	<u>STATEMENT OF ISSUES</u>

14  
15 The Complainant, Janice Waddell, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against PENNY ADAMS (hereinafter "Respondent"), alleges in her  
18 official capacity as follows:

19 1.

20 On or about February 11, 2003, pursuant to the  
21 provisions of Section 10153.3 of the Business and Professions  
22 Code (hereinafter "Code"), Respondent made application to the  
23 Department of Real Estate of the State of California (hereinafter  
24 "Department") for a real estate salesperson license with the  
25 knowledge and understanding that any license issued as a result  
26 of said application would be subject to the conditions of Section  
27 10153.4 of the Code.

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2.

In response to Question #25 of her original application for a real estate license, to wit, "Have you ever been convicted of any violation of law? Convictions expunged under Penal Code Section 1203.4 must be disclosed. However, you may omit minor traffic citations which do not constitute a misdemeanor or felony offense." Respondent answered "No", and failed to disclose the conviction set forth in Paragraph 3 below.

3.

On or about March 13, 1992, in the Superior/Municipal Court of California, County of Orange, Respondent was convicted of violating Penal Code Section 484-488 (Petty Theft), a misdemeanor and crime, which by its circumstances, involved moral turpitude and is substantially related to the qualifications, functions and duties of a real estate licensee. Respondent was placed on probation for three (3) years, which included serving three days in jail or payment of a fine.

4.

Respondent's conviction as set forth in Paragraph 3, above, constitutes grounds to deny Respondent's application for a real estate license pursuant to Code Sections 10177(b) and 480(a).

5.

Respondent's failure to disclose the conviction set forth in Paragraph 3 constitutes grounds to deny her application for a real estate license pursuant to Code Sections 10177(a) and 480(c).

1           These proceedings are brought under the provisions of  
2 Section 10100, Division 4 of the Business and Professions Code of  
3 the State of California and Sections 11500 through 11528 of the  
4 Government Code.

5           WHEREFORE, the Complainant prays that the above-  
6 entitled matter be set for hearing and, upon proof of the charges  
7 contained herein, that the Commissioner refuse to authorize the  
8 issuance of, and deny the issuance of, a real estate salesperson  
9 license to Respondent PENNY ADAMS, and for such other and further  
10 relief as may be proper under the law.

11 Dated at Los Angeles, California

12 this 10<sup>th</sup> day of August, 2004.

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16 Deputy Real Estate Commissioner  
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23 cc: Penny Adams  
24 H&A Business, Inc./Horacio Alberto Monserrat  
25 Sacto.  
26 Janice Waddell  
27 AE