

1 Department of Real Estate
2 2201 Broadway
3 P. O. Box 187007
4 Sacramento, CA 95818-7007
5 Telephone: (916) 227-0789

FILED

JAN 1 8 2013

DEPARTMENT OF REAL ESTATE
By R. M. W.

8 **DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 *In the Matter of the Application of*) No. H-2772 FR
12 MARQUISE OUAN MURPHY,)
13 Respondent.) **STIPULATION AND WAIVER**
14)

15 I, MARQUISE OUAN MURPHY, Respondent herein, do hereby affirm that I have
16 applied to the Department of Real Estate for a real estate salesperson license and that to the best of
17 my knowledge I have satisfied all of the statutory requirements for the issuance of the license,
18 including the payment of the fee therefor.

19 I acknowledge that I have received and read the Statement of Issues and the
20 Statement to Respondent filed by the Department of Real Estate on August 30, 2012, in connection
21 with my application for a real estate salesperson license. I understand that the Real Estate
22 Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further
23 proof of my honesty and truthfulness and to prove other allegations therein, or that he may in his
24 discretion waive the hearing and grant me a restricted real estate salesperson license based upon this
25 Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the
26 Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet
27 all the requirements for issuance of a real estate salesperson license. I further understand that by

1 entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has
2 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me
3 of an unrestricted real estate salesperson license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true
5 and correct and request that the Real Estate Commissioner in his discretion issue a restricted real
6 estate salesperson license to me under the authority of Section 10156.5 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
9 hearing and the opportunity to present evidence at the hearing to establish my rehabilitation in order
10 to obtain an unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by
11 the Real Estate Commissioner. However, I am not waiving my right to a hearing and to further
12 proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not
13 accepted by the Commissioner.

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

16 1. The license shall not confer any property right in the privileges to be
17 exercised including the right of renewal, and the Real Estate Commissioner may by
18 appropriate order suspend the right to exercise any privileges granted under this
19 restricted license in the event of:

20 a. Respondent's conviction (including a plea of nolo contendere) of a crime
21 which bears a substantial relationship to Respondent's fitness or capacity as a real
22 estate licensee; or

23 b. The receipt of evidence that Respondent has violated provisions of the
24 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real
25 Estate Commissioner or conditions attaching to this restricted license.

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1 2. I shall not be eligible to apply for the issuance of an unrestricted real estate
2 license nor the removal of any of the conditions, limitations, or restrictions attaching
3 to the restricted license until two years have elapsed from the date of issuance of the
4 restricted license to Respondent.

5 3. With the application for license, or with the application for transfer to a new
6 employing broker, I shall submit a statement signed by the prospective employing
7 broker on a form approved by the Department of Real Estate wherein the employing
8 broker shall certify as follows:

9 a. That broker has read the Statement of Issues which is the basis for the
10 issuance of the restricted license; and

11 b. That broker will carefully review all transaction documents prepared by the
12 restricted licensee and otherwise exercise close supervision over the licensee's
13 performance of acts for which a license is required.

14 4. Respondent shall notify the Commissioner in writing within 72 hours of any
15 arrest by sending a certified letter to the Commissioner at the Department of Real
16 Estate, Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set
17 forth the date of Respondent's arrest, the crime for which Respondent was arrested
18 and the name and address of the arresting law enforcement agency. Respondent's
19 failure to timely file written notice shall constitute an independent violation of the
20 terms of the restricted license and shall be grounds for the suspension or revocation
21 of that license.

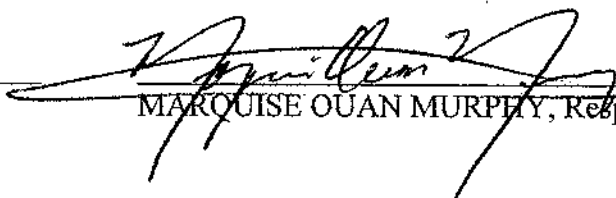
22 Respondent can signify acceptance and approval of the terms and conditions of this
23 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to
24 the Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands
25 that by electronically sending to the Department a fax copy of his actual signature as it appears on

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1 the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on
2 Respondent as if the Department had received the original signed Stipulation and Waiver.

3
4 12/20/12
5 Dated


MARQUISE OUAN MURPHY, Respondent

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7 * * *

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

12 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson
13 license be issued to Respondent MARQUISE OUAN MURPHY if Respondent has otherwise
14 fulfilled all of the statutory requirements for licensure. The restricted license shall be limited,
15 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

16 This Order is effective immediately.

17 IT IS SO ORDERED _____.

18 REAL ESTATE COMMISSIONER
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1 the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on
2 Respondent as if the Department had received the original signed Stipulation and Waiver.
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5 _____
Dated

_____ MARQUISE OUAN MURPHY, Respondent

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7 * * *


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

12 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson
13 license be issued to Respondent MARQUISE OUAN MURPHY if Respondent has otherwise
14 fulfilled all of the statutory requirements for licensure. The restricted license shall be limited,
15 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

16 This Order is effective immediately.

17 IT IS SO ORDERED 1/15/13

18 REAL ESTATE COMMISSIONER

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21 _____
22 By: AWET KIDANE
23 Chief Deputy Commissioner
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