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**FILED**  
OCT 06 2011  
DEPARTMENT OF REAL ESTATE  
By *L. Frost*

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of  
  
MARIBEL ARQUIAGA CRESPO,  
  
Respondent.

No. H-4865 SAC

ORDER GRANTING UNRESTRICTED LICENSE

On March 24, 2008, in Case No. H-4865 SAC, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a conditional restricted real estate salesperson license. A conditional restricted real estate salesperson license was issued to Respondent on April 11, 2008. Respondent's conditional restricted real estate salesperson license was suspended indefinitely per Section 10153.4(c) of the Business and Professions Code on October 12, 2009 for failure to complete the educational requirements. Respondent's conditional restricted real estate salesperson license was reinstated from conditional suspended status per completion of the educational requirements on November 18, 2009, and Respondent has operated as a restricted licensee since that time.

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1 On July 2, 2010, Respondent petitioned for the removal of restrictions attaching to  
2 Respondent's real estate salesperson license.

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

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

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

14 2. Within twelve (12) months from the date of this order Respondent shall:

15 (a) Submit a completed application and payment of the appropriate fee for a  
16 real estate salesperson license, and

17 (b) Submit evidence of having taken and successfully completed the courses  
18 specified in subdivisions (a) (1), (2), (3), (4) and (5) of Section 10170.5 of the Real Estate Law  
19 for renewal of a real estate license. The continuing education courses must be completed either  
20 (i) within the 12 month period preceding the filing of the completed application, or (ii) within the  
21 12 month period following the date of this Order.

22 3. Upon renewal of the license issued pursuant to this order, Respondent  
23 shall submit evidence of having taken and successfully completed the continuing education

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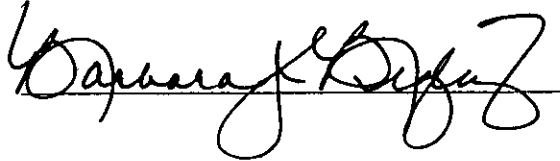
1 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate  
2 license.

3 This Order shall become effective immediately.

4 IT IS SO ORDERED

10/3/11

5 BARBARA J. BIGBY  
6 Acting Real Estate Commissioner

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1 DEPARTMENT OF REAL ESTATE  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

FILED

MAR 28 2008

DEPARTMENT OF REAL ESTATE

By K. Contreras

7 DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 *In the Matter of the Application of* )  
10 MARIBEL ARQUIAGA CRESPO, ) NO. H-4865 SAC  
11 Respondent. ) **STIPULATION AND WAIVER**  
12 )

13 I, MARIBEL ARQUIAGA CRESPO, Respondent herein, do hereby affirm that I have  
14 applied to the Department of Real Estate for a real estate salesperson license and that to the best of my  
15 knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the  
16 payment of the fee therefor.

17 I acknowledge that I have received and read the Statement of Issues and the Statement to  
18 Respondent filed by the Department of Real Estate on September 26, 2007, in connection with my  
19 application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a  
20 hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness  
21 and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a  
22 restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by  
23 filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to  
24 make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license.  
25 I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate  
26 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
27 issuance to me of an unrestricted real estate salesperson license.

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

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

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

- 13                   1. The license shall not confer any property right in the privileges to be exercised  
14                   including the right of renewal, and the Real Estate Commissioner may by appropriate  
15                   order suspend the right to exercise any privileges granted under this restricted license  
16                   in the event of:
  - 17                   a. The conviction of Respondent (including a plea of nolo contendere) to a crime  
18                   which bears a substantial relationship to Respondent's fitness or capacity as a  
19                   real estate licensee; or
  - 20                   b. The receipt of evidence that Respondent has violated provisions of the California  
21                   Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
22                   Commissioner, or 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  
24                   the removal of any of the conditions, limitations or restrictions attaching to the  
25                   restricted license until two years have elapsed from the date of issuance of the  
26                   restricted license to Respondent.

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- 1                   3. With the application for license, or with the application for transfer to a new  
2                   employing broker, I shall submit a statement signed by the prospective employing  
3                   broker on a form approved by the Department of Real Estate wherein the employing  
4                   broker shall certify as follows:
- 5                   a. That broker has read the Statement of Issues which is the basis for the issuance  
6                   of the restricted license; and
- 7                   b. That broker will carefully review all transaction documents prepared by the  
8                   restricted licensee and otherwise exercise close supervision over the licensee's  
9                   performance of acts for which a license is required.
- 10                  4. My restricted real estate salesperson license is issued subject to the requirements of  
11                  Section 10153.4 of the Business and Professions Code, to wit: I am required, within  
12                  eighteen (18) months of the issuance of the restricted license, to submit evidence  
13                  satisfactory to the Commissioner of successful completion, at an accredited  
14                  institution, of a course in real estate practices and one of the courses listed in Section  
15                  10153.2, other than real estate principles, advanced legal aspects of real estate,  
16                  advanced real estate finance, or advanced real estate appraisal. If I fail to timely  
17                  present to the Department satisfactory evidence of successful completion of the two  
18                  required courses, the restricted license shall be automatically suspended effective  
19                  eighteen (18) months after the date of its issuance. Said suspension shall not be lifted  
20                  unless, prior to the expiration of the restricted license, I have submitted the required  
21                  evidence of course completion and the Commissioner has given written notice to  
22                  Respondent of the lifting of the suspension.
- 23                  5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified  
24                  license under Section 10153.4, Respondent shall not be entitled to renew the restricted  
25                  license, and shall not be entitled to the issuance of another license which is subject to  
26                  Section 10153.4 until four years after the date of the issuance of the preceding  
27                  restricted license.

1 Respondent can signify acceptance and approval of the terms and conditions of this  
2 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the  
3 Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by  
4 electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation  
5 and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the  
6 Department had received the original signed Stipulation and Waiver.

7  
8 1/11/08  
9 Dated

10 Maribel Arquiza Crespo  
11 MARIBEL ARQUIAGA CRESPO, Respondent

12 \* \* \*

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

17 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
18 issued to Respondent MARIBEL AROUIAGA CRESPO, if Respondent has otherwise fulfilled all of the  
19 statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as  
20 specified in the foregoing Stipulation and Waiver.

21 This Order is effective immediately.

22 IT IS SO ORDERED

23 3/24/08

24 JEFF DAVI  
25 Real Estate Commissioner

26 [Signature]

1 DANIEL E. KEHEW, Counsel (SBN 231550)  
Department of Real Estate  
2 P. O. Box 187007  
Sacramento, CA 95818-7007  
3

4 Telephone: (916) 227-0789  
-or- (916) 227-0425 (Direct)  
5

FILED  
SEP 26 2007

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of )  
13 MARIBEL ARQUIAGA CRESPO, )  
14 Respondent. )  
15

H-4865 SAC

STATEMENT OF ISSUES

16 The Complainant, CHARLES W. KOENIG, a Deputy Real  
17 Estate Commissioner of the State of California, for Statement of  
18 Issues against MARIBEL ARQUIAGA CRESPO (hereinafter "Respondent"),  
19 is informed and alleges as follows:

20 I

21 Complainant, CHARLES W. KOENIG, a Deputy Real Estate  
22 Commissioner of the State of California, makes this Statement of  
23 Issues against Respondent in his official capacity.

24 II

25 Respondent made application to the Department of Real  
26 Estate of the State of California for a real estate salesperson  
27 license on or about November 28, 2006, with the knowledge and



1 understanding that any license issued as a result of said  
2 application would be subject to the conditions of Section 10153.4  
3 of the Business and Professions Code (hereinafter "Code").

4 III

5 On or about May 21, 1998, in the Municipal Court of  
6 the State of California, County of San Joaquin, Respondent was  
7 convicted of Petty Theft in violation of Penal Code Section  
8 484(a), a misdemeanor and crime involving moral turpitude that  
9 bears a substantial relationship under Section 2910, Title 10,  
10 California Code of Regulations (hereinafter "Regulations"), to  
11 the qualifications, functions, or duties of a real estate  
12 licensee.

13 IV

14 On or about June 14, 1999, in the United States  
15 District Court for the Southern District of California,  
16 Respondent was convicted of Importation of a Controlled  
17 Substance (Marijuana) in violation of 21 USC Section 952, a  
18 felony and crime involving moral turpitude that bears a  
19 substantial relationship under Section 2910, Title 10, of the  
20 Regulations to the qualifications, functions, or duties of a  
21 real estate licensee.

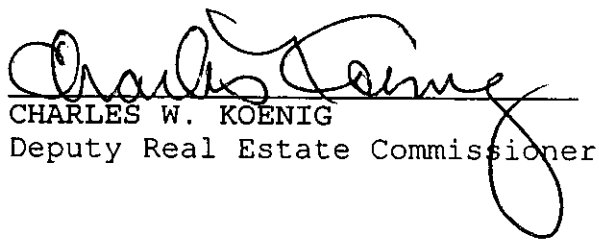
22 V

23 Respondent's criminal convictions, described in  
24 Paragraphs III and IV, above, constitute cause for denial of  
25 Respondent's application for a real estate license under  
26 Sections 480(a) and 10177(b) of the Code.

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WHEREFORE, Complainant prays that 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 salesperson license to Respondent, and for such other and further relief as may be just and proper under the law.



CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California  
this 20<sup>th</sup> day of September, 2007.