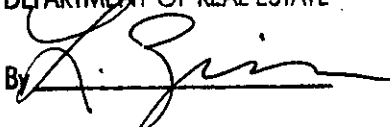


FILED

MAY - 2 2008

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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

DEPARTMENT OF REAL ESTATE  
By 

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of	)	NO. H-4873 SAC
	)	
EDMUNDO PULIDO,	)	STIPULATION AND
	)	WAIVER
Respondent.	)	
	)	

I, EDMUNDO PULIDO, (herein "Respondent"), do hereby affirm that I have applied to the Department of Real Estate for a real estate broker license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefore.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on October 23, 2007, in connection with my application for a real estate broker license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further

1 proof of my honesty and truthfulness and to prove other  
2 allegations therein, or that he may in his discretion waive the  
3 hearing and grant me a restricted real estate broker license  
4 based upon this Stipulation and Waiver. I also understand that  
5 by filing the Statement of Issues in this matter the Real Estate  
6 Commissioner is shifting the burden to me to make a satisfactory  
7 showing that I meet all the requirements for issuance of a real  
8 estate broker license. I further understand that by entering  
9 into this Stipulation and Waiver I will be stipulating that the  
10 Real Estate Commissioner has found that I have failed to make  
11 such a showing, thereby justifying the denial of the issuance to  
12 me of an unrestricted real estate broker license.

13 I hereby admit that the allegations of the Statement  
14 of Issues filed against me are true and correct and request that  
15 the Real Estate Commissioner in his discretion issue a  
16 restricted real estate broker license to me under the authority  
17 of Section 10156.5 of the Business and Professions Code.

18 I am aware that by signing this Stipulation and  
19 Waiver, I am waiving my right to a hearing and the opportunity  
20 to present evidence at the hearing to establish my  
21 rehabilitation in order to obtain an unrestricted real estate  
22 broker license if this Stipulation and Waiver is accepted by the  
23 Real Estate Commissioner. However, I am not waiving my right to  
24 a hearing and to further proceedings to obtain a restricted or  
25 unrestricted license if this Stipulation and Waiver is not  
26 accepted by the Commissioner.

27 ///

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

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

9           a.   The conviction of Respondent (including a plea of  
10 nolo contendere) to a crime which bears a substantial  
11 relationship to Respondent's fitness or capacity as a  
12 real estate licensee; or

13           b.   The receipt of evidence that Respondent has  
14 violated provisions of the California Real Estate Law,  
15 the Subdivided Lands Law, Regulations of the Real  
16 Estate commissioner, or conditions attaching to this  
17 restricted license.

18           2.   I shall not be eligible to apply for the issuance  
19 of an unrestricted real estate license nor the removal of any of  
20 the conditions, limitations or restrictions attaching to the  
21 restricted license until four years have elapsed from the date  
22 of issuance of the restricted license to Respondent.

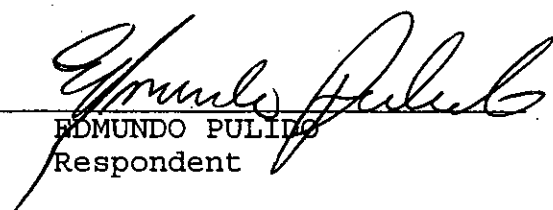
23           3.   The Commissioner may, in the Commissioner's  
24 discretion, deny any application by Respondent for the issuance  
25 of an unrestricted real estate license or for the removal of any  
26 of the conditions, limitations or restrictions of a restricted  
27 license, unless, with such application, Respondent provides

1 proof acceptable to the Real Estate Commissioner that,  
2 throughout the term of the restricted license issued pursuant to  
3 this Stipulation and Waiver, Respondent has, each and every  
4 week, attended one or more sessions of Alcoholics Anonymous, or  
5 that such attendance in any week was impractical due to travel  
6 for work, the illness of Respondent or a member of Respondent's  
7 family, incarceration, residential treatment for substance  
8 abuse, extreme personal hardship for Respondent or a member of  
9 Respondent's family, or family emergency.

10 Respondent can signify acceptance and approval of the  
11 terms and conditions of this Stipulation and Waiver by faxing a  
12 copy of the signature page, as actually signed by Respondent, to  
13 the Department at fax number (916) 227-9458. Respondent agrees,  
14 acknowledges and understands that by electronically sending to  
15 the Department a fax copy of his actual signature as it appears  
16 on the Stipulation and Waiver, that receipt of the faxed copy by  
17 the Department shall be as binding on Respondent as if the  
18 Department had received the original signed Stipulation and  
19 Waiver.

20 4-14-08

21 \_\_\_\_\_  
22 DATED

23   
24 \_\_\_\_\_  
25 EDMUNDO PULIDO  
26 Respondent

27 ///

///

///

///

1 \* \* \*

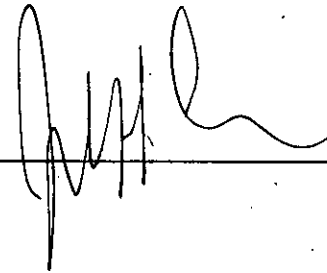
2 I have read the Statement of Issues filed herein and  
3 the foregoing Stipulation and Waiver signed by Respondent. I am  
4 satisfied that the hearing for the purpose of requiring further  
5 proof as to the honesty and truthfulness of Respondent need not  
6 be called and that it will not be inimical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

9 Therefore, IT IS HEREBY ORDERED that a restricted real  
10 estate broker license be issued to Respondent EDMUNDO PULIDO if  
11 Respondent has otherwise fulfilled all of the statutory  
12 requirements for licensure. The restricted license shall be  
13 limited, conditioned, and restricted as specified in the  
14 foregoing Stipulation and Waiver.

15 This Order is effective immediately.

16 IT IS SO ORDERED 9/30/87

17  
18 JEFF DAVI  
19 REAL ESTATE COMMISSIONER

20  
21   
22  
23  
24  
25  
26  
27

1 ANGELA L. CASH, Counsel (SBN 230882)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0805 (Direct)

FILED  
OCT 23 2007

DEPARTMENT OF REAL ESTATE

*[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 EDMUNDO PULIDO, )  
13 Respondent. )

No. H-4873 SAC  
STATEMENT OF ISSUES

14  
15 The Complainant, Charles W. Koenig, a Deputy Real  
16 Estate Commissioner of the State of California, for cause of  
17 Accusation against EDMUNDO PULIDO (hereinafter "Respondent"), is  
18 informed and alleges as follows:

19 I

20 Complainant, Charles W. Koenig, a Deputy Real Estate  
21 Commissioner of the State of California, makes this Accusation  
22 against Respondent in his official capacity.

23 II

24 Respondent is presently licensed and/or has license  
25 rights under the Real Estate Law, Part 1 of Division 4 of the  
26 Business and Professions Code (hereinafter "the Code").

27 ///

1 III

2 At all times herein mentioned, from and after April 19,  
3 2003, Respondent was and now is licensed by the Department of  
4 Real Estate (herein "Department") as a real estate salesperson  
5 whose license was and now is restricted pursuant to the  
6 provisions of Section 10156.7 of the Code and subject to  
7 additional terms, conditions and restrictions imposed under  
8 authority of Section 10156.6 of the Code.

9 IV

10 On or about January 17, 2006, Respondent made  
11 application to the Department of Real Estate of the State of  
12 California (herein "the Department") for a real estate broker  
13 license.

14 V

15 On or about October 21, 2005, in the Salinas Municipal  
16 Court, County of Monterey, State of California (Case Number  
17 MS238090A), Respondent was convicted of the crime of Driving  
18 Under the Influence in violation of Vehicle Code Section  
19 23152(a) a misdemeanor and a crime involving moral turpitude  
20 which bears a substantial relationship under Section 2910, Title  
21 10, California Code of Regulations (herein "the Regulations"),  
22 to the qualifications, functions or duties of a real estate  
23 licensee.

24 VI

25 On or about February 17, 2006, in the Salinas Municipal  
26 Court, County of Monterey, State of California (Case Number  
27 MS241910A), Respondent was convicted of the crime of Public

1 Intoxication in violation of Penal Code Section 647(f), a  
2 misdemeanor and a crime involving moral turpitude which bears a  
3 substantial relationship under Section 2910 of the Regulations,  
4 to the qualifications, functions or duties of a real estate  
5 licensee.

6 MATTERS IN AGGRAVATION

7 VII

8 On or about January 22, 1987, in the Salinas Municipal  
9 Court, County of Monterey, State of California, Respondent was  
10 convicted of the crime of Theft in violation of Penal Code  
11 Section 484 and of the crime of Giving False Identification in  
12 violation of Penal Code Section 148.9, each a misdemeanor and a  
13 crime involving moral turpitude which bears a substantial  
14 relationship under Section 2910 of the Regulations, to the  
15 qualifications, functions or duties of a real estate licensee.

16 VIII

17 On or about June 27, 1989, in the Superior Court,  
18 County of Monterey, State of California, Respondent was  
19 convicted of the crime of Possession of Controlled Substance for  
20 Sale in violation of Health and Safety Code Section 11351, a  
21 felony and a crime involving moral turpitude which bears a  
22 substantial relationship under Section 2910 of the Regulations,  
23 to the qualifications, functions or duties of a real estate  
24 licensee.

25 ///

26 ///

27 ///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

IX

PRIOR ADMINISTRATIVE PROCEEDINGS

Effective March 23, 2003, in Case Number "H-8324 SF" before the Department, the Real Estate Commissioner denied Respondent's application for a real estate salesperson license pursuant to Sections 480(a) and 10177(b) of the Code, but subsequently granted Respondent the right to the issuance of a restricted real estate salesperson license subject to the terms, conditions and restrictions of Sections 10156.6 and 10156.7 of the Code.

X

The crimes for which Respondent was convicted as described in Paragraphs V and VI, above, individually and in conjunction with the facts described in Paragraphs VII and VIII, constitute cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the Code.

WHEREFORE, 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 salesperson license to Respondent, and for such other and further relief as may be proper in the premises.

  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California  
this 17<sup>th</sup> day of October, 2007.