

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

FILED

JUN - 6 2011

DEPARTMENT OF REAL ESTATE
By E. Mar

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 *In the Matter of the Application of*) No. H- 5555 SAC
12 JEAN LUDWICK,)
13) **STIPULATION AND WAIVER**
14 Respondent.)

15 It is hereby stipulated by and between JEAN LUDWICK (hereinafter "Respondent")
16 and Respondent's attorney, JAMES L. PORTER, JR., and the Complainant, acting by and through
17 RICHARD K. UNO, Counsel for the Department of Real Estate, as follows for the purpose of
18 settling and disposing of the Statement of Issues filed on March 1, 2011 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of
20 Issues and the Statement to Respondent filed by the Department of Real Estate in connection with
21 Respondent's application for a real estate broker license. Respondent understands that the Real
22 Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring
23 further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or
24 that she may in her discretion waive the hearing and grant Respondent a restricted real estate broker
25 license based upon this Stipulation and Waiver. Respondent also understands that by filing the
26 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to
27 Respondent to make a satisfactory showing that Respondent meets all the requirements for issuance

1 of a real estate broker license. Respondent further understands that by entering into this stipulation
2 and waiver, Respondent will be stipulating that the Real Estate Commissioner has found that
3 Respondent has failed to make such a showing, thereby justifying the denial of the issuance to
4 Respondent of an unrestricted real estate broker license.

5 Respondent hereby admits that the allegations of the Statement of Issues filed
6 against Respondent are true and correct and requests that the Real Estate Commissioner in her
7 discretion issue a restricted real estate broker license to Respondent under the authority of Section
8 10156.5 of the Business and Professions Code.

9 Respondent is aware that by signing this Stipulation and Waiver, Respondent is
10 waiving Respondent's right to a hearing and the opportunity to present evidence at the hearing to
11 establish Respondent's rehabilitation in order to obtain an unrestricted real estate broker license if
12 this Stipulation and Waiver is accepted by the Real Estate Commissioner. However, Respondent is
13 not waiving Respondent's right to a hearing and to further proceedings to obtain a restricted or
14 unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

15 Respondent further understands that the following conditions, limitations, and
16 restrictions will attach to a restricted license issued by the Department of Real Estate pursuant
17 hereto:

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

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

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

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

5
6 5/5/2011

7 Dated

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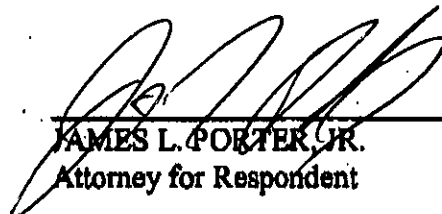
9 JEAN LUDWICK
10 Respondent

11 ***

12 *I have reviewed the Stipulation and Waiver as to form and content and have advised
13 my client accordingly.*

14 5-5-11

15 Dated

16 

17 JAMES L. PORTER JR.
18 Attorney for Respondent

19 ***

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

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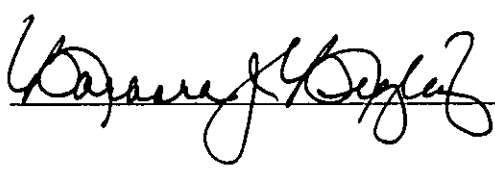
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Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted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

This Order is effective immediately.

IT IS SO ORDERED 6/2/11

BARBARA J. BIGBY
Acting Real Estate Commissioner



1 RICHARD K. UNO, Counsel (SBN 98275)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789
6 (916) 227-2380 (Direct)

FILED

MAR - 1 2011

DEPARTMENT OF REAL ESTATE

By K. Mat

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H-5555 SAC
12 JEAN LUDWICK,)
13 Respondent.)
14)

15 The Complainant, TRICIA D. SOMMERS, a Deputy Real Estate Commissioner
16 of the State of California, for Statement of Issues against JEAN LUDWICK (Respondent),
17 alleges as follows:

18 1

19 Complainant makes this Statement of Issues in her official capacity.

20 2

21 On or about January 12, 2010, Respondent made application to the Department
22 of Real Estate of the State of California (the Department) for a real estate broker license.

23 3

24 On or about November 13, 2006 in the Superior Court of the State of California,
25 County of Placer, Case No. 72-4080, Respondent was convicted of violating Section
26 23103/23103.5 of the California Vehicle Code (Wet Reckless), a misdemeanor a crime that

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1 bears a substantial relationship under Section 2910, Title 10, California Code of Regulations
2 (the Regulations), to the qualifications, functions or duties of a real estate licensee.

3 PRIOR ADMINISTRATIVE PROCEEDINGS

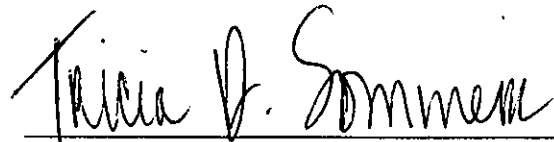
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5 Effective November 17, 2009 in Case Number "H-5225 SAC" before the
6 Department, the Real Estate Commissioner denied Respondent's application for a real estate
7 broker license pursuant to Sections 480(a) (Conviction of Crime), 480(c) (Knowingly Make
8 False Statement), 10177(a) (Attempt to Procure License: Fraud, Misrepresentation, Deceit) and
9 10177(b) (Further Grounds for Disciplinary Action-Conviction of Crime) of the Code.

10 5

11 Respondent's criminal conviction and the administrative action as described in
12 Paragraphs 3 and 4, above, constitute cause for denial of Respondent's application for a real
13 estate broker license under Sections 480(a) and 10177(b) and (f) (Further Grounds for
14 Disciplinary Action-Prior Disc. of License) of the Code.

15 WHEREFORE, Complainant prays that the above-entitled matter be set for
16 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
17 authorize the issuance of, and deny the issuance of a real estate broker license to Respondent,
18 and for such other and further relief as may be proper under other law.

19
20 

21 TRICIA D. SOMMERS
22 Deputy Real Estate Commissioner

23 Dated at Sacramento, California,
24 this 24th day of February 2011.