

1 Bureau of Real Estate  
2 P. O. Box 137007  
3 Sacramento, CA . 95813-7007  
4 Telephone: (916) 263-8672

**FILED**

APR 13 2018

BUREAU OF REAL ESTATE

By B. Nicholas

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

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11 *In the Matter of the Application of*

12 MARKUS DEANDRE BROWN,

13 Respondent.

H-12197 SF

14 **STIPULATION AND WAIVER**  
(Per Business and Professions Code § 10100.4)

15 MARKUS DEANDRE BROWN, ("Respondent") does hereby affirm that on March  
16 30, 2017, he applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license  
17 and that to the best of his knowledge he satisfied all of the statutory requirements for the issuance of  
18 the license, including the payment of the fee therefore.

19 FACTUAL BASIS

20 On or about January 15, 2014, in the Superior Court of the State of California,  
21 County of Alameda, Case No. 172507, Respondent was convicted of violating Sections 23152 (a)  
22 (driving under the influence) and 23152 (b) (driving under the influence over .08%) of the  
23 California Vehicle Code, a felony.

24 On or about October 11, 2012, in the Superior Court of the State of California,  
25 County of Alameda, Case No. 580918, Respondent was convicted of violating Sections 23152 (a),  
26 23152 (b), and 14601.2 (a) (driving on a suspended license) of the California Vehicle Code, a  
27 misdemeanor.



1 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order  
2 to obtain an unrestricted real estate salesperson license. Respondent is not waiving his right to a  
3 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation  
4 and Waiver is not accepted by the Commissioner.

5 Respondent agrees that by signing this Stipulation and Waiver, the conditions,  
6 limitations, and restrictions imposed on Respondent's restricted license, identified below, may be  
7 removed only by filing a Petition for Removal of Restrictions ("petition") with the Commissioner,  
8 and that Respondent's petition must follow the procedures set forth in Government Code Section  
9 11522. Respondent understands that this Stipulation and Waiver, which was executed pursuant to  
10 the authority under section 10100.4 and 10156.5 of the Code, is considered discipline by the  
11 Bureau.

12 Respondent further understands that the restricted license issued to Respondent shall  
13 be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,  
14 conditions, and restrictions imposed under the authority of Section 10156.6 of the Code:

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

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

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

24 2. Respondent shall not be eligible to petition for the issuance of an unrestricted  
25 real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to  
26 the restricted real estate license until three (3) years have elapsed from the date of issuance of the  
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1 restricted real estate license to Respondent. Respondent shall not be eligible to apply for any  
2 unrestricted licenses until all restrictions attaching to the license have been removed.

3 3. With the application for license, or with the application for transfer to a new  
4 employing broker, Respondent shall submit a statement signed by the prospective employing broker  
5 on a form approved by the Bureau wherein the employing broker shall certify as follows:

6 a. That broker has read the Stipulation and Waiver which is the basis for the  
7 issuance of the restricted license; and

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

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

18 3/21/18  
19 Dated

  
KYLE JONES, Counsel  
Bureau of Real Estate

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21 Respondent has read the Stipulation and Waiver and its terms are understood by  
22 Respondent and agreeable and acceptable to Respondent. Respondent understands that Respondent  
23 is waiving rights given to Respondent by the California Administrative Procedure Act (including,  
24 but not limited to, California Government Code sections 11504, 11506, 11508, 11509, and 11513),  
25 and willingly, intelligently, and voluntarily waives those rights, including, but not limited to, the  
26 right to a hearing on a Statement of Issues at which he would have the right to cross-examine  
27 witnesses against Respondent and to present evidence in defense and mitigation of the charges.

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3/15/18  
Dated

  
MARKUS DEANDRE BROWN, Respondent


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

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent MARKUS DEANDRE BROWN, 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 April 10, 2018.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

  
By: DANIEL J. SANDRI  
Chief Deputy Commissioner