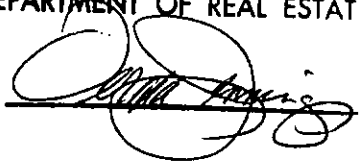


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DEPARTMENT OF REAL ESTATE
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) No. H-24890 LA
)
LUIS MARIO GUEVARA,)
)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On December 23, 1991, a Decision was rendered herein denying the real estate salesperson license of Respondent, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on January 23, 1992, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On or about July 28, 2008, Respondent petitioned for removal of restrictions of said real estate salesperson license.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate

1 salesperson license and that it would not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following conditions:

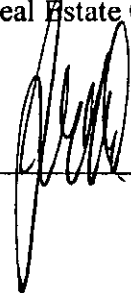
6 1. Submits a completed application and pays the fee for a real estate salesperson
7 license within the 12 month period following the date of this Order; and

8 2. Submits proof that Respondent has completed the continuing education
9 requirements for renewal of the license sought. The continuing education courses must be
10 completed either (i) within the 12 month period preceding the filing of the completed application,
11 or (ii) within the 12 month period following the date of this Order.

12 This Order shall be effective immediately.

13 Dated: 2/16/2001

14 JEFF DAVI
15 Real Estate Commissioner

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DEPARTMENT OF REAL ESTATE
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Application of

LUIS MARIO GUEVARA,

Respondent.

No. H- 24890 LA
STIPULATION AND WAIVER

I, LUIS MARIO GUEVARA

respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson 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 therefor.

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 November 15, 1991 in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance
2 to me of an unrestricted real estate salesperson license.

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

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

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

- 15 1. The license shall not confer any property right in the privileges to be exercised including the right
16 of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to
17 exercise any privileges granted under this restricted license in the event of:
- 18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
20 b. The receipt of evidence that respondent has violated provisions of the California Real Estate
21 Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions
22 attaching to this restricted license.
- 23 2. Respondent 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 restricted license
25 until one year has elapsed from the date of issuance of the restricted license to respondent.
- 26 3. With the application for license, or with the application for transfer to a new employing broker,
27 respondent shall submit a statement signed by the prospective employing broker on a form

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approved by the Department of Real Estate wherein the employing broker shall certify as follows:

- a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
- b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

~~4. Respondent shall, within eighteen (18) months of the date of issuance of the restricted license under the provisions of Section 10153.4 of the Business and Professions Code, submit evidence satisfactory to the Commissioner of successful completion at an accredited institution of two of the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real estate finance or advanced real estate appraisal. If respondent fails to present satisfactory evidence of successful completion of said courses, the restricted license shall be automatically suspended effective eighteen (18) months after the date of issuance of the restricted license. Said suspension shall not be lifted until respondent has submitted the required evidence of course completion and the Commissioner has given written notice to the respondent of lifting of the suspension.~~

DATED this 16 day of NOVEMBER, 19 91.

Luis Guevara
 Respondent
 LUIS MARIO GUEVARA

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I have read the Statement of Issues filed herein and 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 LUIS MARIO GUEVARA 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.

DATED this 23rd day of December, 19 91.

CLARK WALLACE
Real Estate Commissioner

John R. Liberator

Wright

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GEORGE W. WRIGHT, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

K. H. ...

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Application of)	No. H-24890 LA
)	
)	
LUIS MARIO GUEVARA,)	<u>STATEMENT OF ISSUES</u>
)	
Respondent)	
_____)	

The Complainant, Steven J. Ellis, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against LUIS MARIO GUEVARA ("Respondent") is informed and alleges in his official capacity as follows:

I

Respondent made application to the Department of Real Estate ("Department") on or about April 4, 1991, for a real estate salesperson license with the knowledge and understanding that any license issued as a result of that application would be subject to the conditions of Sections 10153.4 of the Business and Professions Code ("Code").

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II

On or about February 23, 1988, in the Municipal Court of California, Los Angeles Judicial District, County of Los Angeles, Respondent was convicted on a plea of nolo contendere to one misdemeanor count of California Penal Code Section 496.1 (receipt of stolen property), a crime involving moral turpitude which is substantially related under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

III

The facts as alleged above, constitute cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the California Business and Professions Code.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the Government Code.

Dated at Los Angeles, California
this 15th day of November, 1991.

STEVEN J. ELLIS

Deputy Real Estate Commissioner

cc: Luis Mario Guevara
Sacto.
SB
R.E.I. Real Estate Investments