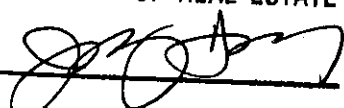


1 Department of Real Estate
2 320 W. 4th Street, Ste. 350
3 Los Angeles, CA 90013

4 Telephone: (213) 576-6982

FILED
MAY 10 2005
DEPARTMENT OF REAL ESTATE
By 

7 **DEPARTMENT OF REAL ESTATE**

8 **STATE OF CALIFORNIA**

9
10 *In the Matter of the Application of*

11 VLADISLAV PHILIP VOSS,

13 Respondent

)
) No. H- 31622 LA
) L-2005020519

) **STIPULATION AND**
) **WAIVER**

14)
15)
16 _____
17 It is hereby stipulated by and between VLADISLAV PHILIP VOSS (hereinafter "respondent") and
18 respondent's attorney, Charles Benninghoff, and the Complainant, acting by and through Darlene Averetta,
19 Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the
20 Statement of Issues filed on January 19, 2005 in this matter:

21 Respondent affirms that respondent has applied to the Department of Real Estate for a real estate
22 broker license and that to the best of respondent's knowledge, respondent has satisfied all of the statutory
23 requirements for the issuance of the license, including the payment of the fee therefor.

24 Respondent acknowledges that respondent has received and read the Statement of Issues and the
25 Statement to Respondent filed by the Department of Real Estate in connection with respondent's
26 application for a real estate broker license. Respondent understands that the Real Estate Commissioner may
27 hold a hearing on this Statement of Issues for the purpose of requiring further proof of respondent's honesty

1 and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing
2 and grant respondent a restricted real estate salesperson license based upon this Stipulation and Waiver.
3 Respondent also understands that by filing the Statement of Issues in this matter the Real Estate
4 Commissioner is shifting the burden to respondent to make a satisfactory showing that respondent meets all
5 the requirements for issuance of a real estate broker license. Respondent further understands that by
6 entering into this stipulation and waiver, respondent will be stipulating that the Real Estate Commissioner
7 has found that respondent has failed to make such a showing, thereby justifying the denial of the issuance to
8 respondent of an unrestricted real estate broker license.

9 Respondent hereby admits that the allegations of the Statement of Issues filed against respondent are
10 true and correct and requests that the Real Estate Commissioner in his discretion issue a restricted real
11 estate salesperson license to respondent under the authority of Section 10156.5 of the Business and
12 Professions Code.

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

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

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

24 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
25 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
26
27

1 b. The receipt of evidence that respondent has violated provisions of the California Real
2 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
3 conditions attaching to this restricted license.


4 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license
5 nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted
6 license until two years have elapsed from the date of issuance of the restricted license to
7 respondent.

8 3. With the application for license, or with the application for transfer to a new employing broker,
9 respondent shall submit a statement signed by the prospective employing broker on a form
10 approved by the Department of Real Estate wherein the employing broker shall certify as
11 follows:

12 a. That broker has read the Statement of Issues which is the basis for the issuance of the
13 restricted license; and

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

17 April 20, 2005
18 Dated

17 
18 DARLENE AVERETTA, Counsel, Department of Real Estate

19 * * *

21 I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are
22 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me
23 by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509,
24 and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights,
25 including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine
26 witnesses against me and to present evidence in defense and mitigation of the charges.

1 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
 2 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
 3 number (213) 576-6917, Respondent agrees, acknowledges and understands that by electronically sending
 4 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
 5 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
 6 the original signed Stipulation and Waiver.

7 4/20/05
 8 Dated

Vladislav Voss
 9 VLADISLAV PHILIP VOSS, Respondent

10 I have reviewed the Stipulation and Waiver as to form and content and have advised my client
 11 accordingly.

12 4-20-05
 13 Dated

Charles Benninghoff
 14 CHARLES BENNINGHOFF, Attorney for Respondent

15 Advocate for Respondent

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

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

24 This Order is effective immediately.

25 IT IS SO ORDERED _____

26 Jeff Davi
 27 Real Estate Commissioner

1 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
2 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
3 number (213) 576-6917, Respondent agrees, acknowledges and understands that by electronically sending
4 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
5 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
6 the original signed Stipulation and Waiver.

7 _____
8 Dated

VLADISLAV PHILIP VOSS, Respondent

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

11 _____
12 Dated

CHARLES BENNINGHOFF, Attorney for Respondent

13 * * *

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

18 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
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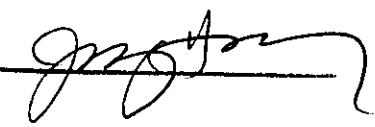
23 IT IS SO ORDERED May 3, 2005

24 _____
25 Jeff Davi
26 Real Estate Commissioner
27

1
2007

1 SHANNON M. CHAMBERS, Counsel (SBN 212459)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6916

FILED
JAN 19 2005
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11
12 In the Matter of the Application of) NO. H-31622 LA
13 VLADISLAV PHILIP VOSS,)
14) STATEMENT OF ISSUES
15 Respondent.)

16 The Complainant, Janice Waddell, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Statement
18 of Issues against VLADISLAV PHILIP VOSS, ("Respondent"), is
19 informed and alleges as follows:

20 1.

21 The Complainant, Janice Waddell, a Deputy Real Estate
22 Commissioner of the State of California, makes this Statement
23 of Issues against Respondent in her official capacity.

24 ///
25 ///
26 ///
27 ///

2.

1 Respondent made application to the Department of Real
2 Estate of the State of California for a real estate broker
3 license on or about June 23, 2004.
4

3.

6 (CRIMINAL CONVICTION)

7 On or around January 13, 2003, in the United States
8 District Court, District of Nevada, in Case No. CR-S-02-0131 JCM
9 (LRL), Respondent VLADISLAV PHILIP VOSS, was convicted of
10 violating Title 18, United States Code, Section 371 (Conspiracy
11 to Committ Unauthorized Reception of Cable Service). This is a
12 crime involving moral turpitude which bears a substantial
13 relationship under Title 10, Chapter 6, Section 2910, California
14 Code of Regulations, to the qualifications, functions or duties
15 of a real estate licensee.
16

4.

17 The crime of which Respondent was convicted as alleged
18 herein above in Paragraph 3, constitutes cause for denial of
19 Respondent's application for a real estate license under Code
20 Sections 475(a)(2); 480 (a)(1) and or 10177(b).
21

22 The Statement of Issues is brought under the
23 provisions of Section 10100, Division 4 of the Business and
24 Professions Code of the State of California and Sections 11500
25 and 11529 of the Government Code.

26 WHEREFORE, Complainant prays that the above entitled
27 matter be set for hearing and, upon proof of the charges

1 contained herein, that the Commissioner refuse to authorize the
2 issuance of, and deny the issuance of, a real estate broker
3 license to Respondent, VLADISLAV PHILIP VOSS, and for such other
4 and further relief as may be proper under other provisions of
5 law.

6 Dated at Los Angeles, California

7 this 13 day of January, 2004.

8
9
10 
11 _____
12 Janice Waddell
13 Deputy Real Estate Commissioner

14 Cc: VLADISLAV PHILIP VOSS
15 Janice Waddell
16 Sacto.
17 CW
18
19
20
21
22
23
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25
26
27