

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4
5 Telephone: (213) 576-6982
6
7

FILED
OCT 21 2005
DEPARTMENT OF REAL ESTATE
[Signature]

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Application of) No. H-32047 LA
12 VICTOR HUGO QUIJANO,) STIPULATION AND WAIVER
13 Respondent.)
14

15 I, VICTOR HUGO QUIJANO, respondent herein, do hereby
16 affirm that I have applied to the Department of Real Estate for a
17 real estate salesperson license and that to the best of my
18 knowledge I have satisfied all of the statutory requirements for
19 the issuance of the license, including the payment of the fee
20 therefor.

21 I acknowledge that I have received and read the
22 Statement of Issues and the Statement to Respondent filed by the
23 Department of Real Estate on June 29, 2005, in connection with my
24 application for a real estate salesperson license. I understand
25 that the Real Estate Commissioner may hold a hearing on this
26 Statement of Issues for the purpose of requiring further proof of
27

1 my honesty and truthfulness and to prove other allegations
2 therein, or that he may in his discretion waive the hearing and
3 grant me a restricted real estate salesperson license based upon
4 this Stipulation and Waiver. I also understand that by filing
5 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 salesperson license. I further understand that by
9 entering into this stipulation and waiver I will be stipulating
10 that the Real Estate Commissioner has found that I have failed to
11 make such a showing, thereby justifying the denial of the
12 issuance to me of an unrestricted real estate salesperson
13 license.

14 I hereby admit that the allegations of the Statement of
15 Issues filed against me are true and correct and request that the
16 Real Estate Commissioner in his discretion issue a restricted
17 real estate salesperson license to me under the authority of
18 Section 10156.5 of the Business and Professions Code. I
19 understand that any such restricted license will be issued
20 subject to and be limited by Section 10153.4 of the Business and
21 Professions Code.

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

1 and to further proceedings to obtain a restricted or unrestricted
2 license if this Stipulation and Waiver is not accepted by the
3 Commissioner.

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

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

13 a. The conviction of respondent (including a plea
14 of nolo contendere) to a crime which bears a
15 substantial relationship to respondent's
16 fitness or capacity as a real estate licensee;
17 or

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

24 2. I shall not be eligible to apply for the
25 issuance of an unrestricted real estate license nor
26 the removal of any of the conditions, limitations
27 or restrictions attaching to the restricted license

1 until five years have elapsed from the date of
2 issuance of the restricted license to respondent or
3 until Respondent is no longer on probation,
4 whichever comes first.

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

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

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

20 4. My restricted real estate salesperson license is
21 issued subject to the requirements of Section
22 10153.4 of the Business and Professions Code, to
23 wit: I am required, within eighteen (18) months of
24 the issuance of the restricted license, to submit
25 evidence satisfactory to the Commissioner of
26 successful completion, at an accredited
27 institution, of a course in real estate practices

1 and one of the courses listed in Section 10153.2,
2 other than real estate principles, advanced legal
3 aspects of real estate, advanced real estate
4 finance, or advanced real estate appraisal. If I
5 fail to timely present to the Department
6 satisfactory evidence of successful completion of
7 the two required courses, the restricted license
8 shall be automatically suspended effective eighteen
9 (18) months after the date of its issuance. Said
10 suspension shall not be lifted unless, prior to the
11 expiration of the restricted license, I have
12 submitted the required evidence of course
13 completion and the Commissioner has given written
14 notice to respondent of the lifting of the
15 suspension.

16 5. Pursuant to Section 10154, if I have not satisfied
17 the requirements for an unqualified licensed under
18 Section 10153.4, respondent shall not be entitled
19 to renew the restricted license, and shall not be
20 entitled to the issuance of another license which
21 is subject to Section 10153.4 until four years
22 after the date of the issuance of the preceding
23 restricted license.

24 6. During the term of the restricted license,
25 respondent shall submit to the Department of Real
26 Estate as of the last day of each March, June,
27 September and December proof satisfactory to the

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

11
12 _____
13 Dated

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15 _____
16 VICTOR HUGO QUIJANO
Respondent

17 * * * *

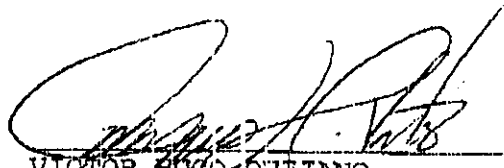
18 I have read the Statement of Issues filed herein and
19 the foregoing Stipulation and Waiver signed by respondent. I am
20 satisfied that the hearing for the purpose of requiring further
21 proof as to the honesty and truthfulness of respondent need not
22 be called and that it will not be inimical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

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26 ///

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 2 terms and conditions of this Stipulation and Waiver by faxing a
 3 copy of the signature page, as actually signed by respondent, to
 4 the Department at fax number (213) 576-6917. Respondent agrees,
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 9 Department had received the original signed Stipulation and
 10 Waiver.

11
 12 08/02/05
 13 _____
 14 Dated

15 
 16 _____
 17 VICTOR HUGO QUIJANO
 18 Respondent

19 * * * *

20 I have read the Statement of Issues filed herein and
 21 the foregoing Stipulation and Waiver signed by respondent. I am
 22 satisfied that the hearing for the purpose of requiring further
 23 proof as to the honesty and truthfulness of respondent need not
 24 be called and that it will not be inimical to the public interest
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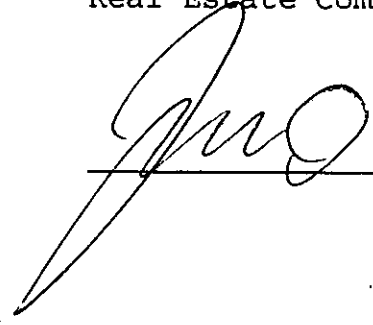
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1 Therefore, IT IS HEREBY ORDERED that a restricted real
2 estate salesperson license be issued to respondent VICTOR HUGO
3 QUIJANO if respondent has otherwise fulfilled all of the
4 statutory requirements for licensure. The restricted license
5 shall be limited, conditioned and restricted as specified in the
6 foregoing Stipulation and Waiver.

7 This Order is effective immediately.

8 IT IS SO ORDERED 9-10-05

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10 JEFF DAVI
11 Real Estate Commissioner

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Clay*

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED
JUN 29 2005
DEPARTMENT OF REAL ESTATE
[Signature]

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H-32047 LA
12 VICTOR HUGO QUIJANO,)
13 Respondent.) STATEMENT OF ISSUES

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16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against VICTOR HUGO QUIJANO (Respondent) is informed and alleges
19 in her official capacity as follows:

20 I

21 On or about November 4, 2004, Respondent applied to the
22 Department of Real Estate of the State of California for a real
23 estate salesperson license with the knowledge and understanding
24 that any license issued as a result of that application would be
25 subject to the conditions of Section 10153.4 of the Business and
26 Professions Code.

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On or about November 17, 1997, in the Municipal Court, County of Los Angeles, State of California, Respondent was convicted of violating Vehicle Code Section 23152(b) (driving with blood alcohol .08% or greater).

III

On or about June 24, 2004, in the Superior Court of California, County of Los Angeles, Respondent was convicted of violating Vehicle Code Section 23152(b) (driving with blood alcohol .08% or greater).

IV

The matters described above in Paragraphs II and III are substantially related to the functions, duties, and responsibilities of a real estate licensee.

V

The matters described in Paragraphs II and III constitute cause for denial of Respondent's application for a real estate salesperson license under Section 480(a) of the California Business and Professions Code.

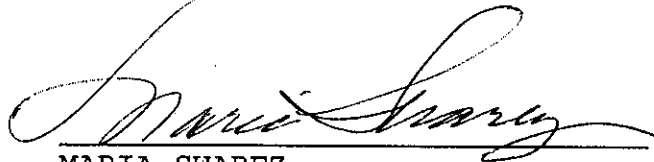
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1 The Statement of Issues is brought under the provisions
2 of Section 10100, Division 4 of the Business and Professions Code
3 of the State of California and Sections 11500 through 11528 of
4 the Government Code.

5 WHEREFORE, the Complainant prays that the above-
6 entitled matter be set for hearing and, upon proof of the charges
7 contained herein, that the Commissioner refuse to authorize the
8 issuance of, and deny the issuance of, a real estate salesperson
9 license to Respondent VICTOR HUGO QUIJANO and for such other and
10 further relief as may be proper in the premises.

11 Dated at Los Angeles, California,

12 this 1 day of June, 2005.

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14 
15 MARIA SUAREZ
16 Deputy Real Estate Commissioner
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23 cc: Victor Hugo Quijano
24 Maria Suarez
25 Fidelity Realty Group, Inc.
26 Sacto.
27 LF