

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 issuance 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
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and
7 Professions 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
10 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate
11 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a
12 restricted or unrestricted 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
14 restricted 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
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
17 to 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
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until two years have elapsed from the date of issuance of the restricted license to respondent.
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1 3. With the application for license, or with the application for transfer to a new employing broker, I
2 shall submit a statement signed by the prospective employing broker on a form approved by the
3 Department of Real Estate wherein the employing broker shall certify as follows:

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

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

9 4. My restricted real estate salesperson license is issued subject to the requirements of Section
10 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18) months
11 of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of
12 successful completion, at an accredited institution, of two of the courses listed in Section
13 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real
14 estate finance, or advanced real estate appraisal. If I fail to timely present to the Department
15 satisfactory evidence of successful completion of the two required courses, the restricted license
16 shall be automatically suspended effective eighteen (18) months after the date of its issuance.
17 Said suspension shall not be lifted unless, prior to the expiration of the restricted license, I have
18 submitted the required evidence of course completion and the Commissioner has given written
19 notice to Respondent of the lifting of the suspension.

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

24 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
25 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
26 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending
27 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 _____
4 Dated

_____ RICHARD PERCY BLY, Respondent

5 * * *

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

10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
11 respondent RICHARD PERCY BLY if respondent has otherwise fulfilled all of the statutory requirements
12 for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing
13 Stipulation and Waiver.

14 This Order is effective immediately.

15 IT IS SO ORDERED _____

16 Jeff Davi
17 Real Estate Commissioner
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19 _____
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1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 2-25-08

4 Dated

Richard Percy Bly
RICHARD PERCY BLY, Respondent

5 * * *

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

10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
11 respondent RICHARD PERCY BLY if respondent has otherwise fulfilled all of the statutory requirements
12 for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing
13 Stipulation and Waiver.

14 This Order is effective immediately.

15 IT IS SO ORDERED

4/30/08

16 Jeff Dani
17 Real Estate Commissioner

18 *Jeff Dani*
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*Said
1/14/08*

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Los Angeles, California 90013-1105

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-or- (213) 576-6913 (Direct)

FILED
FEB - 7 2008
DEPARTMENT OF REAL ESTATE
[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of) No. H-34703 LA
RICHARD PERCY BLY,) STATEMENT OF ISSUES
Respondent.)

The Complainant, Joseph Aiu, a Deputy Real Estate
Commissioner of the State of California, for Statement of Issues
against RICHARD PERCY BLY (Respondent) is informed and alleges in
her official capacity as follows:

I

On or about July 12, 2006, Respondent applied to the
Department of Real Estate of the State of California 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 Section 10153.4 of the Business and

1 Professions Code.

2 II

3 In response to Question 25 of said application, to wit,
4 "Have you ever been convicted of any violation of law?"
5 Respondent answered "Yes" and disclosed the convictions set forth
6 in Paragraph III and IV.

7 III

8 On or about July 9, 2004, in the Superior Court of
9 California, County of San Diego, Case No. C237331, Respondent was
10 convicted of violating Vehicle Code Section 23152(a) & (b)
11 (driving under the influence), crimes involving moral turpitude
12 and substantially related to the qualifications, functions or
13 duties of a real estate licensee.

14 IV

15 On or about November 30, 1999, in the Superior Court of
16 California, County of San Diego, Case No. C200285, Respondent was
17 convicted of violating Vehicle Code Section 23152(b) (driving
18 under the influence), a crime involving moral turpitude and
19 substantially related to the qualifications, functions or duties
20 of a real estate licensee.

21 V

22
23 On or about October 19, 1993, in the Municipal Court
24 for the County of San Diego, State of California, Case No.
25 131829, Respondent was convicted of violating Vehicle Code
26 Section 23152(b) (driving under the influence), a crime involving
27

1 moral turpitude and substantially related to the qualifications,
2 functions or duties of a real estate licensee.

3 VI

4 On or about December 28, 1993, in the Municipal Court
5 for the County of San Diego, State of California, Case No.
6 C147277, Respondent was convicted of violating Vehicle Code
7 Section 23152(a) & (b) (driving under the influence), crimes
8 involving moral turpitude and substantially related to the
9 qualifications, functions or duties of a real estate licensee.

10 VII

11 On or about October 15, 1993, in the Municipal Court
12 for the County of San Diego, State of California, Case No.
13 145222, Respondent was convicted of violating Vehicle Code
14 Section 23152(a) (driving under the influence), a crime involving
15 moral turpitude and substantially related to the qualifications,
16 functions or duties of a real estate licensee.

17 VIII

18 Respondent's convictions in the matters referred to in
19 Paragraphs III, IV, V, VI, and VII are cause under Sections
20 480(a) (1) and 10177(b) of the Business and Professions Code for
21 denying Respondent's application for a real estate license.
22

23 IX

24 Respondent's failure to reveal the matters set forth in
25 Paragraphs V, VI and VII in said application constitutes the
26 attempted procurement of a real estate licensee by fraud,
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1 misrepresentation or deceit, or by making a material misstatement
2 of fact in said application, which failure is cause for denying
3 Respondent's application for a real estate license under Sections
4 480(c) and 10177(a) of the Business and Professions Code of the
5 State of California.

6 The Statement of Issues is brought under the provisions
7 of Section 10100, Division 4 of the Business and Professions Code
8 of the State of California and Sections 11500 through 11528 of
9 the Government Code.

10 WHEREFORE, the Complainant prays that the above-
11 entitled matter be set for hearing and, upon proof of the charges
12 contained herein, that the Commissioner refuse to authorize the
13 issuance of, and deny the issuance of, a real estate salesperson
14 license to Respondent RICHARD PERCY BLY and for such other and
15 further relief as may be proper in the premises.

16 Dated at Los Angeles, California,

17 this 4 day of February, 2008.

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21 
22 JOSEPH AIU
23 Deputy Real Estate Commissioner
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25 cc: RICHARD PERCY BLY
26 Joseph Aiu
27 Sacto.

(jrp)