

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

**FILED**  
APR - 2 2009  
DEPARTMENT OF REAL ESTATE  
*[Signature]*

7 **DEPARTMENT OF REAL ESTATE**  
8 **STATE OF CALIFORNIA**  
9

10 *In the Matter of the Application of*

11 EDGAR A. BONILLA,

12  
13 Respondent  
14

)  
) No. H- 35517 LA  
)  
)

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

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

18 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent  
19 filed by the Department of Real Estate on December 8, 2008, in connection with my application for a real  
20 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this  
21 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove  
22 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real  
23 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the  
24 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
25 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I  
26 further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate  
27

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.  
26  
27

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 a course in real estate practices and one of  
13           the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of  
14           real estate, advanced real estate finance, or advanced real estate appraisal. If I fail to timely  
15           present to the Department satisfactory evidence of successful completion of the two required  
16           courses, the restricted license shall be automatically suspended effective eighteen (18) months  
17           after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of  
18           the restricted license, I have submitted the required evidence of course completion and the  
19           Commissioner has given written notice to Respondent of the lifting of the suspension.

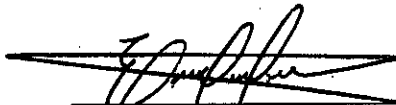
20           5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license  
21           under Section 10153.4, Respondent shall not be entitled to renew the restricted license, and shall  
22           not be entitled to the issuance of another license which is subject 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 02/23/2009

4 Dated



EDGAR A. BONILLA, Respondent

\*\*\*

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

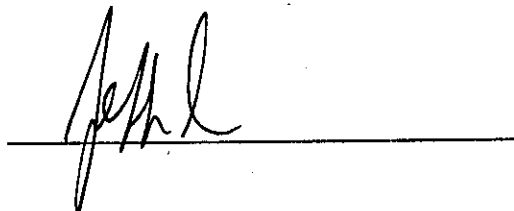
9 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to  
10 respondent EDGAR A. BONILLA if respondent has otherwise fulfilled all of the statutory requirements for  
11 licensure. The restricted license shall be limited, conditioned, and restricted as specified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

13 This Order is effective immediately.

14 IT IS SO ORDERED

3/29/09

16 Jeff Davi  
17 Real Estate Commissioner

18 

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2 Department of Real Estate  
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**FILED**  
DEC - 8 2008  
DEPARTMENT OF REAL ESTATE

*K. K. K.*

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9 BEFORE THE DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of ) NO. H-35517 LA  
13 EDGAR A. BONILLA, )  
14 Respondent. ) STATEMENT OF ISSUES

15  
16 The Complainant, Maria Suarez, a Deputy Real Estate  
17 Commissioner of the State of California, for cause of Statement  
18 of Issues against EDGAR A. BONILLA, aka Edgar Recinos, Edgar  
19 Abigail Bonilla Recinos ("Respondent"), is informed and alleges  
20 as follows:

21 1.

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

25 ///

26 ///

2.

1 Respondent made application to the Department of Real  
2 Estate of the State of California for a real estate salesperson  
3 license on or about September 24, 2007, with the knowledge and  
4 understanding that any license issued as a result of said  
5 application would be subject to the conditions of Business and  
6 Professions Code ("Code") Section 10153.4.  
7

8 (CRIMINAL CONVICTIONS)

9 3.

10 On or about November 22, 2006, in the California  
11 Superior Court, County of Los Angeles, in Case no. 6DY06249,  
12 Respondent was convicted of violating Vehicle Code Section  
13 23152(b) (DUI), a misdemeanor. The underlying facts of this  
14 criminal conviction bear a substantial relationship under Title  
15 10, Chapter 6, Section 2910, California Code of Regulations, to  
16 the qualifications, functions or duties of a real estate  
17 licensee.  
18

19 4.

20 On or about August 25, 2006, in the California  
21 Superior Court, County of Los Angeles, in Case no. 5DW05420,  
22 Respondent was convicted of violating Vehicle Code Section  
23 23103 (Reckless Driving/No Injury), a misdemeanor. The  
24 underlying facts of this criminal conviction bear a substantial  
25 relationship under Title 10, Chapter 6, Section 2910, California  
26 Code of Regulations, to the qualifications, functions or duties  
27 of a real estate licensee.

5.

1  
2 In aggravation, on or about September 18, 2007, in the  
3 California Superior Court, County of Los Angeles, in Case no.  
4 7DY03541, Respondent was convicted of violating Vehicle Code  
5 Section 14601.2(a) (Driving With Suspended License), a  
6 misdemeanor.

7  
8 6.

9 The crimes of which Respondent was convicted, as  
10 alleged herein above in Paragraphs 3 and 4, constitute cause for  
11 denial of Respondent's application for a real estate license  
12 under Business and Professions Code Sections 475(a)(2);  
13 480(a)(1); and/or 10177(b).

14  
15 7.

(FAILURE TO REVEAL CONVICTION)

16 In response to Question 25 of his license application,  
17 to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW?  
18 CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE  
19 DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC CITATIONS WHICH  
20 DO NOT CONSTITUTE A MISDEMEANOR OR FELONY OFFENSE". Respondent  
21 answered "YES", but failed to reveal the convictions described  
22 in Paragraphs 3 and 4, above.

23  
24 8.

25 Respondent's failure to reveal the conviction set  
26 forth herein in Paragraphs 3 and 4, above, in his license  
27 application, constitutes knowingly making a false statement of  
material fact required to be revealed in said application, which

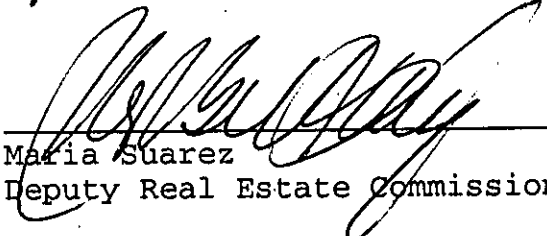
1 is grounds for denial of the issuance of a license under  
2 Business and Professions Code Sections 480(c) and 10177(a).

3 The Statement of Issues is brought under the  
4 provisions of Section 10100, Division 4 of the Business and  
5 Professions Code of the State of California and Sections 11500  
6 and 11529 of the Government Code.

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

13  
14 Dated at Los Angeles, California

15 This 2nd day of December, 2008.

16  
17  
18   
19 Maria Suarez  
20 Deputy Real Estate Commissioner

21  
22  
23  
24  
25 Cc: EDGAR A. BONILLA  
26 First Century Bank Corp, Inc.  
27 Maria Suarez  
Sacto.