

1 Department of Real Estate  
320 W. 4th Street, Suite 350  
2 Los Angeles, CA 90013-1105

3 Telephone: (213) 576-6982

*K. Sheffell*

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

10 *In the Matter of the Application of*

11 JUSTIN CRAIG SHEFTELL,

12 Respondent

) No. H- 36064 LA

) STIPULATION AND  
) WAIVER

15 I, JUSTIN CRAIG SHEFTELL, respondent herein, do hereby affirm that I have applied to the Department  
16 of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all  
17 of 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 June 18, 2009, in connection with my application for a real estate  
20 salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of  
21 Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other  
22 allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate  
23 salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of  
24 Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory  
25 showing that I meet all the requirements for issuance of a real estate salesperson license. I further  
26 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  
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.

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

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

- 13 1. The license shall not confer any property right in the privileges to be exercised including the  
14 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
15 to exercise any privileges granted under this restricted license in the event of:
  - 16 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a  
17 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - 18 b. The receipt of evidence that respondent has violated provisions of the California Real  
19 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or  
20 conditions attaching to this restricted license.
- 21 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
22 removal of any of the conditions, limitations, or restrictions attaching to the restricted license  
23 until 3 years have elapsed from the date of issuance of the restricted license to respondent.
- 24 3. With the application for license, or with the application for transfer to a new employing broker, I  
25 shall submit a statement signed by the prospective employing broker on a form approved by the  
26 Department of Real Estate wherein the employing broker shall certify as follows:  
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- 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.

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

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Dated \_\_\_\_\_ JUSTIN CRAIG SHEFTELL, Respondent

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- 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.

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

6-24-09

Dated



JUSTIN CRAIG SHEFTELL, Respondent

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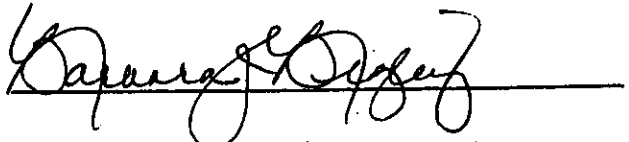
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of respondent need not be called and that it will not be inimical to the public 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 JUSTIN CRAIG SHEFTELL 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.

IT IS SO ORDERED 7-7-09

Jeff Davi  
Real Estate Commissioner



BY: Barbara J. Bigby  
Chief Deputy Commissioner

*Sachs Glas*

SHARI SVENINGSON, Counsel (SBN 195298)  
Department of Real Estate  
320 West 4<sup>th</sup> Street, Suite 350  
Los Angeles, California 90013-1105

Telephone: (213) 576-6982  
(Direct) (213) 576-6907

**FILED**  
JUN 18 2009  
DEPARTMENT OF REAL ESTATE

*[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of	)	NO. H-36064 LA
	)	
JUSTIN CRAIG SHEFTELL,	)	
	)	<u>STATEMENT OF ISSUES</u>
	)	
Respondent.	)	

The Complainant, Joseph D. Aiu, a Deputy Real Estate Commissioner of the State of California, for cause of Statement of Issues against JUSTIN CRAIG SHEFTELL, aka Justin Sheftell ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Joseph D. Aiu, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues against Respondent in his official capacity.

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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 April 29, 2008.  
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5 (CRIMINAL CONVICTION)

6 3.

7 On or about March 18, 2008, in the California Superior  
8 Court, County of San Diego, in Case No. CD211579, Respondent was  
9 convicted of violating Penal Code Section 273.5(a) (Inflict  
10 Corporal Injury), a misdemeanor. The underlying facts of this  
11 criminal conviction are substantially related to the  
12 qualifications, functions or duties of a real estate licensee  
13 under Title 10, Chapter 6, Section 2910, California Code of  
14 Regulations.  
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16 4.

17 The crime of which Respondent was convicted, as  
18 alleged herein above in Paragraph 3, constitutes cause for  
19 denial of Respondent's application for a real estate license  
20 under Business and Professions Code Sections 475(a)(2);  
21 480(a)(1); and/or 10177(b).  
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23 The Statement of Issues is brought under the  
24 provisions of Section 10100, Division 4 of the Business and  
25 Professions Code of the State of California and Sections 11500  
26 and 11529 of the Government Code.  
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1           WHEREFORE, Complainant prays that the above entitled  
2 matter be set for hearing and, upon proof of the charges  
3 contained herein, that the Commissioner refuse to authorize the  
4 issuance of, and deny the issuance of, a real estate salesperson  
5 license to Respondent, JUSTIN CRAIG SHEFTELL, and for such other  
6 and further relief as may be proper in the premises.

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8 Dated at San Diego, California


9 This 16 day of June, 2009.

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Joseph D. Aiu  
Deputy Real Estate Commissioner

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25 Cc: JUSTIN CRAIG SHEFTELL  
26 Paul C. Taccone  
27 Joseph D. Aiu  
Sacto.