

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

**FILED**

NOV 28 2011

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4 Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

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8 **DEPARTMENT OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of* ) No. H- 37615 LA  
12 )  
13 RAUL MC CULLEY LOPEZ, ) **STIPULATION AND WAIVER**  
14 )  
15 Respondent. )

16 I, RAUL MC CULLEY LOPEZ, Respondent herein, do hereby affirm that I have applied to the  
17 Department of Real Estate for a real estate salesperson license and that to the best of my knowledge  
18 I have satisfied all of the statutory requirements for the issuance of the license, including the  
19 payment of the fee therefor.

20 I acknowledge that I have received and read the Statement of Issues and the Statement to  
21 Respondent filed by the Department of Real Estate on October 21, 2011, in connection with my  
22 application for a real estate salesperson license. I understand that the Real Estate Commissioner  
23 may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my  
24 honesty and truthfulness and to prove other allegations therein, or that she may in her discretion  
25 waive the hearing and grant me a restricted real estate salesperson license based upon this  
26 Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the  
27 Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet

1 all the requirements for issuance of a real estate salesperson license. I further understand that by  
2 entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has  
3 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me  
4 of an unrestricted real estate salesperson license.

5 I hereby admit that the allegations of the Statement of Issues filed against me are true and  
6 correct and request that the Real Estate Commissioner in her discretion issue a restricted real estate  
7 salesperson license to me under the authority of Section 10156.5 of the Business and Professions  
8 Code.

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

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

- 17 1. The license shall not confer any property right in the privileges to be exercised including  
18 the right of renewal, and the Real Estate Commissioner may by appropriate order suspend  
19 the right to exercise any privileges granted under this restricted license in the event of:
  - 20 a. Respondent's conviction (including a plea of nolo contendere) of a crime which  
21 bears a substantial relationship to Respondent's fitness or capacity as a real estate  
22 licensee; or
  - 23 b. The receipt of evidence that Respondent has violated provisions of the California  
24 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
25 Commissioner or conditions attaching to this restricted license.

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2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until one year have elapsed from the date of issuance of the restricted license to Respondent.

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

- 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.

4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

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

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

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4 11/11/2011 Dated   
5 RAUL MC CULLEY LOPEZ, Respondent

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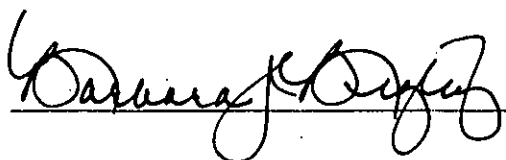
8 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver  
9 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as  
10 to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to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

12 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
13 issued to Respondent RAUL MC CULLEY LOPEZ if Respondent has otherwise fulfilled all of the  
14 statutory requirements for licensure. The restricted license shall be limited, conditioned, and  
15 restricted as specified in the foregoing Stipulation and Waiver.

16 This Order is effective immediately.

17 IT IS SO ORDERED 11/17/11

18 Barbara J. Bigby  
19 Acting Real Estate Commissioner

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*Photo  
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**FILED**

OCT 21 2011

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2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013

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

DEPARTMENT OF REAL ESTATE  
BY: *R. Medeiros*

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of ) No. H=37615 LA  
12 RAUL MCCULLEY LOPEZ, ) STATEMENT OF ISSUES  
13 Respondent. )  
14 \_\_\_\_\_ )

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, acting in her official  
17 capacity, for Statement of Issues against RAUL MCCULLEY LOPEZ  
18 ("Respondent") alleges as follows:

19 1.

20 On or about April 25, 2011, Respondent made  
21 application to the Department of Real Estate of the State of  
22 California for a real estate salesperson license.

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1 (CRIMINAL CONVICTION)

2 2.

3 On or about October 4, 1999, in the United States  
4 District Court, Western District of Michigan, Case No. 1:99-CR-  
5 30-02, Respondent was convicted of violating 21 U.S.C. §§ 846  
6 and 841(a)(1) (conspiracy to distribute and possess with intent  
7 to distribute more than 100 kilograms of marijuana), a felony.  
8 Said crime bears a substantial relationship to the  
9 qualifications, functions, or duties of a real estate licensee  
10 under Section 2910, Title 10, Chapter 6, California Code of  
11 Regulations.

12 3.

13 The crime of which Respondent was convicted as alleged  
14 herein constitutes cause for denial of Respondent's application  
15 for a real estate license under California Business and  
16 Professions Code Sections 475(a)(2), 480(a), and 10177(b).

17 These proceedings are brought under the provisions of  
18 Section 10100, Division 4 of the Business and Professions Code  
19 of the State of California and Sections 11500 through 11528 of  
20 the California Government Code.

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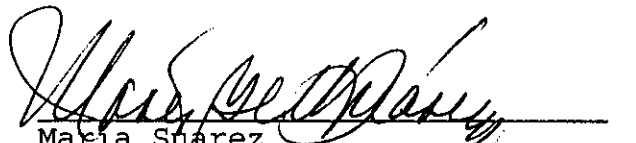
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1                   WHEREFORE, the Complainant prays that the above-  
2 entitled matter be set for hearing and, upon proof of the  
3 charges contained herein, that the Commissioner refuse to  
4 authorize the issuance of, and deny the issuance of, a real  
5 estate salesperson license to Respondent, RAUL MCCULLEY LOPEZ,  
6 and for such other and further relief as may be proper under  
7 other applicable provisions of law.

8                   Dated at Los Angeles, California: 5 October, 2011.

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12                   Maria Suarez  
13                   Deputy Real Estate Commissioner  
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25                   cc: RAUL MCCULLEY LOPEZ  
26                   Maria Suarez  
27                   Sacto