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8	BEFORE THE BUREAU OF REAL ESTATE	
9	STATE OF CALIFORNIA	
10	* * *	
11	In the Matter of the Application of) No. H-39783 LA	
12) EDOUARD EDRISI AUSSENAC,) OAH No. 2015040335	
13		
14	Respondent.)	
15	STIPULATION AND WAIVER AND DECISION AFTER REJECTION	
16	I, EDOUARD EDRISI AUSSENAC, Respondent herein, acknowledge that I	
17	have received and read the Statement of Issues filed by the Bureau of Real Estate on	
18	March 17, 2015, and the Statement to Respondent sent to me in connection with the Statement	
19	of Issues.	
20	I hereby admit that the allegations contained in the Statement of Issues filed	
21	against me are true and correct and constitute a basis for the denial of my real estate salesperson	
22	license application.	
23	I further acknowledge that the Real Estate Commissioner held a hearing on this	
24	Statement of Issues on June 24, 2015, before the Office of Administrative Hearings for the	
25	purpose of proving the allegations therein. I was present at the hearing and represented myself.	
26	Further, I have had an opportunity to read and review the Proposed Decision of the	
27	Administrative Law Judge.	

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I understand that pursuant to Government Code Section 11517(c), the Real Estate Commissioner has rejected the Proposed Decision of the Administrative Law Judge. I further understand that pursuant to the same Section 11517(c), the Real Estate Commissioner may decide this case upon the record, including the transcript, without taking any additional evidence, after affording me the opportunity to present written argument to the Real Estate 5 6 Commissioner.

I further understand that by signing this Stipulation and Waiver, I am waiving 7 my right to obtain a dismissal of the Statement of Issues through proceedings under 8 Government Code Section 11517(c) if this Stipulation and Waiver is accepted by the Real 9 Estate Commissioner. However, I also understand that I am not waiving my rights to further 10 proceedings to obtain a dismissal of the Statement of Issues if this Stipulation and Waiver is not 11 accepted by the Real Estate Commissioner. 12

I hereby request that the Real Estate Commissioner in his discretion deny my 13 application for a real estate salesperson license and issue to me a restricted real estate 14 salesperson license under the authority of Section 10156.5 of the Business and Professions 15 Code if I make application therefor and pay to the Bureau of Real Estate the appropriate fee for 16 said license within 90 days from the effective date of the Decision herein. 17

I further understand that the restricted license shall be subject to the provisions 18 of Section 10156.7 of the Business and Professions Code and the following conditions, 19 limitations and restrictions will attach to the restricted license issued by the Bureau of Real 20 21 Estate.

By reason of the foregoing and solely for the purpose of settlement of the 22 Statement of Issues without further administrative proceedings, it is stipulated and agreed that 23 the Commissioner shall adopt the following Order: 24

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1	ORDER		
2	Respondent's application for a real estate license is denied; provided, however, a		
3	restricted real estate salesperson license shall be issued to Respondent pursuant to		
4	Section 10156.5 of the Code. The restricted salesperson license issued to Respondent shall be		
5	subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,		
6	conditions and restrictions imposed under authority of Section 10156.6 of said Code:		
7	1. The license shall not confer any property right in the privileges to be		
8	exercised including the right of renewal, and the Real Estate		
9	Commissioner may by appropriate order suspend the right to exercise		
10	any privileges granted under this restricted license in the event of:		
11	(a) The conviction of Respondent (including a plea of nolo		
12	contendere) of a crime which is substantially related to		
13	Respondent's fitness or capacity as a real estate licensee; or		
14	(b) The receipt of evidence that Respondent has violated provisions		
15	of the California Real Estate Law, the Subdivided Lands Law,		
16	Regulations of the Real Estate Commissioner or conditions		
17	attaching to this restricted license.		
18	2. Respondent shall not be eligible to apply for the issuance of an		
19	unrestricted real estate license nor the removal of any of the conditions,		
20	limitations, or restrictions attaching to the restricted license until		
21	three (3) years have elapsed from the date of issuance of the restricted		
22	license to Respondent.		
23	3. With the application for license, or with the application for transfer to a		
24	new employing broker, Respondent shall submit a statement signed by		
25	the prospective employing broker on a form approved by the Bureau of		
26	Real Estate wherein the employing broker shall certify as follows:		
27	(a) That the employing broker has read the Decision which is the		

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11	ci.	
1		basis for the issuance of the restricted license; and
2	(b)	That the employing broker will carefully review all transaction
3		documents prepared by the restricted licensee and otherwise
4		exercise close supervision over the licensee's performance of acts
5	a	for which a license is required.
6	4. Resp	ondent shall notify the Commissioner in writing within 72 hours of
7	any a	arrest by sending a certified letter to the Commissioner at the Bureau
8	of Re	eal Estate, Post Office Box 137013, Sacramento, CA 95813-7013.
9	The	letter shall set forth the date of Respondent's arrest, the crime for
10	whic	ch Respondent was arrested and the name and address of the arresting
11	law	enforcement agency. Respondent's failure to timely file written
12	notic	ce shall constitute an independent violation of the terms of the
13	restr	icted license and shall be grounds for the suspension or revocation of
14	that	license.
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16	DATED: 8-2(-20	Counsel
17		Bureau of Real Estate
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19	I have read	the Stipulation and Waiver and its terms are agreeable and
20	acceptable to me. I unders	stand that I am waiving my rights given to me by the California
21	Administrative Procedure	Act (including but not limited to Section 11506, 11508, 11509, and
22	11513 of the Government	Code), and I willingly, intelligently, and voluntarily waive those
23	rights.	
24		CI DCA
25	DATED: 8-17-15	EDOUARD EDRISI AUSSENAC
26		Respondent
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1	I have read the Statement of Issues filed herein, the Proposed Decision of the		
2	Administrative Law Judge dated June 29, 2015, and the foregoing Stipulation and Waiver		
3	signed by Respondent. I am satisfied that it will not be inimical to the public interest to issue a		
4	restricted salesperson license to Respondent.		
5	Therefore, IT IS HEREBY ORDERED that the application for real estate		
6	salesperson license of Respondent be denied and a restricted real estate salesperson license be		
7	issued to Respondent if Respondent has otherwise fulfilled all of the statutory requirements for		
8	licensure. The restricted license shall be limited, conditioned and restricted as specified in the		
9	foregoing Stipulation and Waiver.		
10	This Order shall become effective at 12 o'clock noon on October 7, 2015.		
11	IT IS SO ORDERED 9/10/2015		
12	WAYNE S. BELL REAL ESTATE COMMISSIONER		
13	KEAL ESTATE COMMISSIONER		
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