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Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105
Telephone: (213) 576-6982

FILED

MAY 06 2019

DEPT. OF REAL ESTATE
By John C. Smith

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	
)	No. H-41038 LA
LEONEL ACEVES,)	
)	STIPULATION AND WAIVER
)	
Respondent.)	(Mortgage Loan Originator License Endorsement)

It is hereby stipulated by and between, LEONEL ACEVES ("Respondent"), who is represented by Frank M. Buda, Esq., and the Complainant, acting by and through Andrea Bentler, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Statement of Issues filed on July 9, 2018, in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Department in connection with Respondent's application for an individual mortgage loan originator license endorsement ("MLO License Endorsement"). Respondent understands that the Real Estate Commissioner ("Commissioner") may hold a hearing on the Statement of Issues for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that the Commissioner may in his discretion waive the hearing and grant Respondent a restricted MLO License Endorsement based upon this Stipulation and Waiver.

1 Respondent also understands that by filing the Statement of Issues in this matter the
2 Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent
3 meets all the requirements for issuance of an MLO License Endorsement. Respondent further
4 understands that by entering into this Stipulation and Waiver Respondent will be stipulating that the
5 Commissioner has found that Respondent has failed to make such a showing, thereby justifying the
6 denial of the issuance to Respondent of an MLO License Endorsement.

7 Respondent hereby admits that the allegations of the Statement of Issues filed against
8 Respondent are true and correct and requests that the Commissioner in his discretion issue a
9 restricted MLO License Endorsement to Respondent under the authority of Section 2945.4 of Title
10 10, California Code of Regulations and Sections 10156.5 and 10166.051 of the Business and
11 Professions Code ("Code").

12 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving
13 Respondent's right to a hearing and the opportunity to present evidence at the hearing if this
14 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving
15 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted
16 MLO License Endorsement if this Stipulation and Waiver is not accepted by the Commissioner.

17 Respondent agrees that by signing this Stipulation and Waiver, the conditions, limitations
18 and restrictions imposed on Respondent's restricted MLO License Endorsement, identified below,
19 may be removed only by filing a Petition for Removal of Restrictions ("Petition") with the
20 Commissioner, and that Respondent's Petition must follow the procedures set forth in Government
21 Code Section 11522.

22 Respondent further understands that the restricted MLO License Endorsement issued to
23 Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the
24 following limitations, conditions and restrictions imposed under authority of Section 10156.6 of the
25 Code:

- 26 1. The restricted MLO License Endorsement shall not confer any property rights in the
27 privileges to be exercised including the right to renewal, and the Commissioner may by

1 appropriate order suspend the right to exercise any privileges granted under the
2 restricted MLO License Endorsement in the event of:

- 3 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
4 bears a substantial relationship to Respondent's fitness or capacity to hold a real
5 estate license or an MLO License Endorsement; or
6 b. The receipt of evidence that Respondent has violated provisions of the California
7 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
8 conditions attaching to the restricted MLO License Endorsement.

9 2. Respondent shall not be eligible to petition for the issuance of an unrestricted MLO
10 License Endorsement nor the removal of any of the conditions, limitations or
11 restrictions attaching to the restricted MLO License Endorsement until two (2) years
12 have elapsed from the date of issuance of the restricted MLO License Endorsement to
13 Respondent.

14
15 03/19/2019

16 Dated

15 *Andrea Bentler*

16 Andrea Bentler, Counsel
17 Department of Real Estate

18 * * *

19 Respondent has read this Stipulation and Waiver, and its terms are understood by
20 Respondent and are agreeable and acceptable to Respondent. Respondent understands that
21 Respondent is waiving rights given to Respondent by the Administrative Procedure Act (including
22 but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and
23 Respondent willingly, intelligently and voluntarily waives those rights, including the right of a
24 hearing on the Statement of Issues at which Respondent would have the right to cross-examine
25 witnesses against Respondent and to present evidence in defense and mitigation of the charges.

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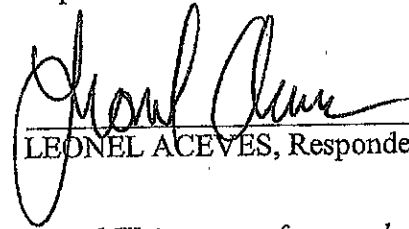
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1 Respondent shall send a hard copy of the original signed Stipulation and Waiver to:
2 Andrea Bentler, Department of Real Estate, 320 West Fourth St, Ste 350, Los Angeles, CA, 90013.

3 In the event of time constraints before an administrative hearing, Respondent can signify
4 acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a
5 scanned copy of the signature page, as actually signed by Respondent, to the Department counsel
6 assigned to this case. Respondent agrees, acknowledges and understands that by electronically
7 sending the Department a scan of Respondent's actual signature as it appears on the Stipulation and
8 Waiver, that receipt of the scan by the Department shall be binding on Respondent as if the
9 Department had received the original signed Stipulation and Waiver.

10 3/15/19

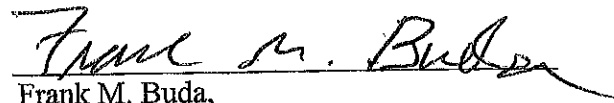
11 Dated

12 
LEONEL ACEVES, Respondent

13 *I have reviewed this Stipulation and Waiver as to form and content and have advised*
14 *my client accordingly.*

15 3-15-19

16 Dated

17 
Frank M. Buda,
18 Attorney for Respondent

19 * * *

20 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver
21 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as
22 to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to
23 the public interest to issue a restricted individual Mortgage Loan Originator License Endorsement
24 to Respondent.

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