

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

4 Telephone: (213) 576-6982

**FILED**

NOV - 5 2018

DEPT. OF REAL ESTATE  
By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 *In the Matter of the Application of*

12 BARRON NICHOLAS HILTON

13 Respondent.

) H- 41183 LA

) STIPULATION AND WAIVER

14  
15 I, Barron Nicholas Hilton ("Respondent") do hereby affirm that I have applied to the  
16 Department of Real Estate for a real estate salesperson license, and that to the best of my  
17 knowledge I have satisfied all of the statutory requirements for the issuance of the license,  
18 including, but not limited to, the payment of the fee therefor.

19 I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the  
20 Real Estate Commissioner ("Commissioner") has found grounds that justify the denial of the  
21 issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to  
22 deny the issuance of an unrestricted real estate salesperson license to me pursuant to sections  
23 480(a), 480(d), 10177(a), and 10177(b) of the Business and Professions Code (the "Code") due to  
24 my April 9, 2008 misdemeanor convictions for violating Vehicle Code sections 23152(b) and  
25 14610(a) (both set aside and dismissed under Penal Code section 1203.4 on June 20, 2018) and for  
26 my failure to disclose said convictions on my license application.

27 I hereby request that the Commissioner in his discretion issue a restricted real estate

1 salesperson license to me under the authority of sections 10100.4 and 10156.5 of the Code. I  
2 understand that any such restricted license will be issued subject to the provisions and limitations of  
3 sections 10156.6 and 10156.7 of the Code.

4 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation  
5 and Waiver is accepted and signed by the Commissioner, the Commissioner will not file a  
6 Statement of Issues based on the grounds herein, and 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.

9 I agree that by signing this Stipulation and Waiver, the conditions, limitations, and  
10 restrictions imposed on my restricted license, identified below, may be removed only by filing a  
11 Petition for Removal of Restrictions ("Petition") with the Commissioner, and that my Petition must  
12 follow the procedures set forth in Government Code section 11522.

13 I further understand that the restricted license issued to me shall be subject to all of the  
14 provisions of section 10156.7 of the Code and to the following limitations, conditions and  
15 restrictions imposed under authority of section 10156.6 of the Code:

- 16 1. The restricted license shall not confer any property right in the privileges to be exercised  
17 including the right of renewal, and the Commissioner may by appropriate order suspend  
18 the right to exercise any privileges granted under the restricted license in the event of:
  - 19 a. Respondent's conviction (including a plea of nolo contendere) of a crime that  
20 bears a substantial relationship to Respondent's fitness or capacity as a real estate  
21 licensee; or
  - 22 b. The receipt of evidence that Respondent has violated provisions of the California  
23 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or  
24 conditions attaching to the restricted license.
- 25 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real  
26 estate license nor the removal of any of the conditions, limitations, or restrictions  
27 attaching to the restricted license until two (2) years have elapsed from the date of

1 issuance of the restricted license to Respondent. Respondent shall not be eligible to  
2 apply for any unrestricted licenses until all restrictions attaching to the license have  
3 been removed.

4 3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by  
5 sending a certified letter to the Commissioner at the Department of Real Estate, Post  
6 Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of  
7 Respondent's arrest, the crime for which Respondent was arrested, and the name and  
8 address of the arresting law enforcement agency. Respondent's failure to timely file  
9 written notice shall constitute an independent violation of the terms of the restricted  
10 license and shall be grounds for the suspension or revocation of that license.

11 4. With the application for license or with the application for transfer to a new employing  
12 broker, Respondent shall submit a statement signed by the prospective employing  
13 broker on a form approved by the Department wherein the employing broker shall  
14 certify as follows:

15 a. That the broker has read the Stipulation and Waiver which is the basis for the  
16 issuance of the restricted license; and

17 b. That the broker will carefully review all transaction documents prepared by the  
18 restricted licensee and otherwise exercise close supervision over the licensee's  
19 performance of acts for which a license is required.

20  
21 10/23/18  
Dated

21   
Michelle Nijm, Counsel  
22 Department of Real Estate

23 \* \* \*

24 Respondent has read this Stipulation and Waiver, and its terms are understood by  
25 Respondent and are agreeable and acceptable to Respondent. Respondent understands that  
26 Respondent is waiving rights given to Respondent by the Administrative Procedure Act (including,  
27 but not limited to, Government Code sections 11504, 11506, 11508, 11509, and 11513), and

1 Respondent willingly, intelligently, and voluntarily waives those rights, including, but not limited  
2 to, the right to a hearing on a Statement of Issues at which Respondent would have the right to  
3 cross-examine witnesses against Respondent and to present evidence in defense and mitigation of  
4 the charges.

5 Respondent shall send a hard copy of the original signed Stipulation and Waiver to Michelle  
6 Nijm, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, CA 90013.

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

14  
15 10/23/18  
16 Dated

17  
18   
19 Barron Nicholas Hilton, Respondent

20 \* \* \*

21 I have read the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that  
22 the hearing for the purpose of requiring further proof as to the honesty and truthfulness of  
23 Respondent need not be called and that it will not be inimical to the public interest to issue a  
24 restricted real estate salesperson license to Respondent.

25 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
26 issued to Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for  
27 licensure. The restricted salesperson license shall be limited, conditioned, and restricted as  
specified in the foregoing Stipulation and Waiver.

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This Order is effective immediately.

IT IS SO ORDERED *October 31, 2018*

DANIEL SANDRI  
ACTING REAL ESTATE COMMISSIONER

*Daniel J. Sandri*