

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of)	_
JEFF TODD MOTE,)))	No. H- 1799 SA STIPULATION AND WAIVER
	Respondent.)	

I, JEFF TODD MOTE, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

RE 511B Conditional (Rev. 10/90) Page 1 of 4

Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted real estate salesperson license.

I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and request that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and Professions Code.

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

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

- 1. The license shall not confer any property right in the privileges to be exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
 - The conviction of respondent (including a plea of nolo contendere) to a crime which bears a substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - b. The receipt of evidence that respondent has violated provisions of the California Real Estate

 Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to this restricted license.
- Respondent 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 has 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, respondent shall submit a statement signed by the prospective employing broker on a form

RE 511B Conditional

(Rev. 10/90)

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.
- Respondent shall, within eighteen (18) months of the date of issuance of the restricted license under the provisions of Section 10153.4 of the Business and Professions Code, submit evidence satisfactory to the Commissioner of successful completion at an accredited institution of two of the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real estate finance or advanced real estate appraisal. If respondent fails to present satisfactory evidence of successful completion of said courses, the restricted license shall be automatically suspended effective eighteen (18) months after the date of issuance of the restricted license. Said suspension shall not be lifted until respondent has submitted the required evidence of course completion and the Commissioner has given written notice to the respondent of lifting of the suspension.

DATED this 24 day of

, 19 <u>II</u>.

Respondent

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

Therefore, IT	IS HEREBY ORDERED that a re	estricted real estate salesperson license be issued to
respondent	JEFF TODD MOTE	if respondent has otherwise fulfilled
all of the statutory	requirements for licensure. The	restricted license shall be limited, conditioned and
restricted as specifi	ied in the foregoing Stipulation and	Waiver.
This Order is	effective immediately.	
DATED this	day of August	, 19 <u>9 9 .</u>

JOHN R. LIBERATOR Interim Commissioner

RE 511B

Conditional (Rev. 10/90)

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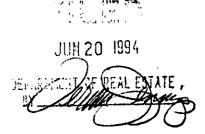
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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Application of JEFF TODD MOTE,

No. H-1799 SA

STATEMENT OF ISSUES

Respondent.

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The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against JEFF TODD MOTE (hereinafter "Respondent") alleges as follows:

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The Complainant, Thomas McCrady, a Deputy Real Estate

Commissioner of the State of California, makes this Statement of

Issues in his official capacity.

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Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson.

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license on or about January-24,-1994,-with-the-knowledge-and understanding that any-license-issued-as-a-result-of-said---

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and the contracting that any the contraction are

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 6-72)

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application would be subject to the conditions of Section 10153.4 of the California Business and Professions Code.

III

On or about December 30, 1991, in the Municipal Court, for the Placer County Judicial District, State of California, Respondent was convicted on his guilty plea of violating Section 487.1 of the Penal Code of the State of California (Grand Theft), a misdemeanor and a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

IV

The crime of which Respondent was convicted, as alleged in Paragraph III, above, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a)(1) and 10177(b) of the California Business and Professions Code.

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

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72) wherefore, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of a real estate salesperson license to Respondent JEFF TODD MOTE and for such other and further relief as may be proper in the premises.

Dated at Santa Ana, California this 20th day of June, 1994.

COURT PAPER STATE OF CALIFORNIA STD. 113 (REV. 8-72)

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THOMAS McCRADY

THOMAS McCRADY Deputy Real Estate Commissioner

cc: Jeff Todd Mote Robert Vincent Zwissler Sacto.

CEV