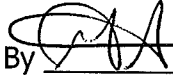


**FILED**

**May 22, 2012**

1 Department of Real Estate  
2 2201 Broadway  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

By  \_\_\_\_\_

8 **DEPARTMENT OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of*

12 ADAM GARY WILSON,

13 Respondent.

) No. H-2719 FR

) **STIPULATION AND WAIVER**

14  
15 I, ADAM GARY WILSON, Respondent herein, do hereby affirm that I have applied  
16 to the 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, including  
18 the payment of the fee therefore.

19 I acknowledge that I have received and read the Statement of Issues and the  
20 Statement to Respondent filed by the Department of Real Estate on February 15, 2012, in  
21 connection with my application for a real estate salesperson license. I understand that the Real  
22 Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring  
23 further proof of my honesty and truthfulness and to prove other allegations therein, or that he/she  
24 may in his/her discretion waive the hearing and grant me a restricted real estate salesperson license  
25 based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in  
26 this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory  
27 showing that I meet all the requirements for issuance of a real estate salesperson license. I further

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

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

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

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

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

25 ///

26 //

27 /

1           2.     I shall not be eligible to apply for the issuance of an unrestricted real estate  
2           license nor the removal of any of the conditions, limitations or restrictions attaching  
3           to the restricted license until three (3) years have elapsed from the date of issuance of  
4           the restricted license to Respondent.

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

9           a.     That broker has read the Statement of Issues which is the basis for the  
10          issuance of the restricted license; and

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

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

22     ///

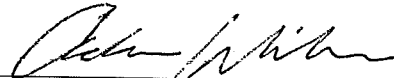
23     //

24     /

1 Respondent can signify acceptance and approval of the terms and conditions of this  
2 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to  
3 the Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands  
4 that by electronically sending to the Department a fax copy of his actual signature as it appears on  
5 the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on  
6 Respondent as if the Department had received the original signed Stipulation and Waiver.

8 3/26/12

9 Dated



ADAM GARY WILSON, Respondent

11 \* \* \*

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

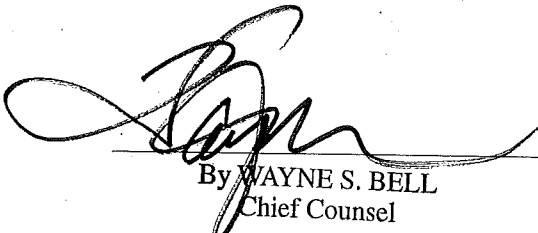
16 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson  
17 license be issued to Respondent ADAM GARY WILSON if Respondent has otherwise fulfilled all  
18 of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and  
19 restricted as specified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

20 This Order is effective immediately.

21 IT IS SO ORDERED

5/20/2012

22 Real Estate Commissioner


23   
24  
25 By WAYNE S. BELL  
26 Chief Counsel

**FILED**

**February 15, 2012**

RICHARD K. UNO, Counsel (SBN 98275)  
Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007

DEPARTMENT OF REAL ESTATE

By  \_\_\_\_\_

Telephone: (916) 227-2380  
(916) 227-2380 (Direct)

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of  
ADAM GARY WILSON,  
Respondent.

No. H-2719 FR  
STATEMENT OF ISSUES

The Complainant, LUKE MARTIN, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against ADAM GARY WILSON, (herein "Respondent"), alleges as follows:

1

Complainant makes this Statement of Issues in his official capacity.

2

On or about September 17, 2011, Respondent made application to the Department of Real Estate of the State of California (herein "the Department") for a real estate salesperson license.

3

On or about March 15, 2006, in the Superior Court of the State of California, County of Fresno, Case No.F06901296-4, Respondent was convicted of violating Section

1 273.5(a) of the California Penal Code (Spousal Abuse), a misdemeanor that bears a substantial  
2 relationship under Section 2910, Title 10 of the California Code of Regulations, (herein "the  
3 Regulations"), to the qualifications, functions or duties of a real estate licensee.

4 4

5 On or about January 6, 2003, in the Superior Court of the State of California,  
6 County of Fresno, Case No. T02907736-3, Respondent was convicted of violating Section  
7 23152(b) of the California Vehicle Code (Driving Under the Influence of Alcohol or a Drug), a  
8 misdemeanor that bears a substantial relationship under Section 2910 of the Regulations to the  
9 qualifications, functions or duties of a real estate licensee.

10 5

11 Respondent's criminal convictions, as set out in Paragraphs 3 through 4, above,  
12 constitute cause for denial of Respondent's application for a real estate salesperson license  
13 pursuant to the provisions of Sections 480(a) and 10177(b) of the Code.

14 WHEREFORE, Complainant prays that the above-entitled matter be set for  
15 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to  
16 authorize the issuance of, and deny the issuance of a real estate salesperson license to  
17 Respondent, and for such other and further relief as may be proper in the premises.

18  
19 

20 LUKE MARTIN  
21 Deputy Real Estate Commissioner

22 Dated at Fresno, California,  
23 this 13<sup>th</sup> day of FEBRUARY, 2012.