

1 Bureau of Real Estate
2 P. O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8672

FILED

MAR 06 2017

BUREAU OF REAL ESTATE

By B. Nicholas

9 **BUREAU OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 *In the Matter of the Application of*

13 RAY ALFRED CONTI,

14 Respondent.

H-3032 FR

STIPULATION AND WAIVER

(Per Business and Professions Code § 10100.4)

15 RAY ALFRED CONTI ("Respondent") does hereby affirm that on November 21,
16 2013, he applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license and
17 that to the best of his knowledge he satisfied all of the statutory requirements for the issuance of the
18 license, including the payment of the fee therefore.
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20 FACTUAL BASIS

21 On or about August 12, 1988, in the Municipal Court of California, Santa Cruz
22 Judicial District, Case No. 48-01692, Respondent was convicted of violating Section 23152(a) of
23 the California Vehicle Code (driving under the influence), a misdemeanor.

24 On or about March 31, 1992, in the Superior Court of the State of California, County
25 of Santa Cruz, Case No. CR5264, Respondent was convicted of violating Sections 11351
26 (possession of narcotics for sale) and 11352 (transportation of narcotics) of the California Health
27 and Safety Code, felonies.

1 restricted license will be issued subject to the provisions of and limitations of Sections 10156.6 and
2 10156.7 of the Code.

3 Respondent is aware that by signing this Stipulation and Waiver, and if this
4 Stipulation and Waiver is accepted by the Commissioner, Respondent is waiving his right to a
5 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order
6 to obtain an unrestricted real estate salesperson license. Respondent is not waiving his right to a
7 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation
8 and Waiver is not accepted by the Commissioner.

9 Respondent understands that this Stipulation and Waiver, which was executed
10 pursuant to the authority under Sections 10100.4 and 10156.5 of the Code, is considered discipline
11 by the Bureau.

12 Respondent further understands that the following conditions, limitations and
13 restrictions will attach to a restricted real estate license issued by the Bureau pursuant hereto:

14 1. The license shall not confer any property right in the privileges to be
15 exercised and the Commissioner may by appropriate order suspend the right to exercise any
16 privileges granted under this restricted license in the event of:

17 a. Respondent's conviction (including a plea of nolo contendere) of a
18 crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate
19 licensee; or

20 b. The receipt of evidence that Respondent has violated provisions of
21 the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
22 conditions attaching to this restricted license.

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

1 3. Respondent shall notify the Commissioner in writing within 72 hours of any
2 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
3 Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of Respondent's
4 arrest, the crime for which Respondent was arrested and the name and address of the arresting law
5 enforcement agency. Respondent's failure to timely file written notice shall constitute an
6 independent violation of the terms of the restricted license and shall be grounds for the suspension
7 or revocation of that license.

8 Respondent has read the Stipulation and Waiver and its terms are understood by
9 Respondent and agreeable and acceptable to Respondent. Respondent understands that Respondent
10 is waiving rights given to Respondent by the California Administrative Procedure Act (including,
11 but not limited to, California Government Code Sections 11504, 11506, 11508, 11509, and 11513),
12 and willingly, intelligently, and voluntarily waives those rights, including, but not limited to, the
13 right to a hearing on a Statement of Issues at which he would have the right to cross-examine
14 witnesses against Respondent and to present evidence in defense and mitigation of the charges.

15 Respondent can signify acceptance and approval of the terms and conditions of this
16 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to
17 the Bureau at fax number (916) 263-3767. Respondent agrees, acknowledges and understands that
18 by electronically sending to the Bureau a fax copy of Respondent's actual signature as it appears on
19 the Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on
20 Respondent as if the Bureau had received the original signed Stipulation and Waiver.

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22 11/2/17

23 Dated

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23 RAY ALFRED CONTI, Respondent

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25 I have read the foregoing Stipulation and Waiver signed by Respondent. I am
26 satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness
27 of Respondent need not be called and that it will not be inimical to the public interest to issue a

1 restricted real estate salesperson license to Respondent.

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

6 This Order is effective immediately.

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9 IT IS SO ORDERED 3/1/17.

10 WAYNE S. BELL
11 REAL ESTATE COMMISSIONER

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14 By: DANIEL J. SANDRI
15 Chief Deputy Commissioner
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