

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

4 Telephone: (916) 263-8672

**FILED**

MAY 02 2017

BUREAU OF REAL ESTATE  
By B. Nicholas

8 **BUREAU OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of*

12 ERIKA CONSUELO LOPEZ,

13 Respondent.

H-3090 FR

**STIPULATION AND WAIVER**  
(Per Business and Professions Code § 10100.4)

14  
15 ERIKA CONSUELO LOPEZ, ("Respondent") does hereby affirm that on March 14,  
16 2016, she applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license and  
17 that to the best of her knowledge she satisfied all of the statutory requirements for the issuance of  
18 the license, including the payment of the fee therefore.

19 FACTUAL BASIS

20 On or about October 03, 2002, in the Superior Court of the State of California,  
21 County of Alameda, Case Number 199427B, Respondent was convicted of violating California  
22 Penal Code Section 484 (Petty Theft), a misdemeanor and a crime that bears a substantial  
23 relationship under Section 2910, Title 10, of the California Code of Regulations ("Regulations"), to  
24 the qualifications, functions, or duties of a real estate licensee.

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1 removed only by filing a Petition for Removal of Restrictions (“petition”) with the Commissioner,  
2 and that Respondent’s petition must follow the procedures set forth in Government Code Section  
3 11522. Respondent understands that this Stipulation and Waiver, which was executed pursuant to  
4 the authority under section 10100.4 and 10156.5 of the Code, is considered discipline by the  
5 Bureau.

6 Respondent further understands that the restricted license issued to Respondent shall  
7 be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,  
8 conditions, and restrictions imposed under the authority of Section 10156.6 of the Code:

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

12 a. Respondent’s conviction (including a plea of nolo contendere) of a  
13 crime which bears a substantial relationship to Respondent’s fitness or capacity as a real estate  
14 licensee; or

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

18 2. Respondent shall not be eligible to petition for the issuance of an unrestricted  
19 real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to  
20 the restricted real estate license until two (2) years have elapsed from the date of issuance of the  
21 restricted real estate license to Respondent. Respondent shall not be eligible to apply for any  
22 unrestricted licenses until all restrictions attaching to the license have been removed.

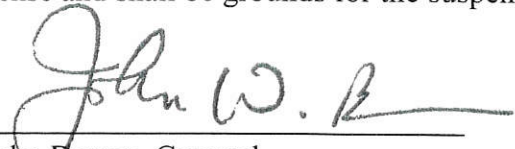
23 3. With the application for license, or with the application for transfer to a new  
24 employing broker, Respondent shall submit a statement signed by the prospective employing broker  
25 on a form approved by the Bureau wherein the employing broker shall certify as follows:

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

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

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

11 3-29-2017  
12 Dated

  
13 John Barron, Counsel  
14 Bureau of Real Estate

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

23 03-25-17  
24 Dated

  
25 ERIKA CONSUELO LOPEZ, Respondent

26 I have read the foregoing Stipulation and Waiver signed by Respondent. I am  
27 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.

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

5                    This Order is effective immediately.

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8                    IT IS SO ORDERED

4/21/17

9                    WAYNE S. BELL  
10                    REAL ESTATE COMMISSIONER

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13                    By: DANIEL J. SANDRI  
14                    Chief Deputy Commissioner