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JUN - 5 2017

BUREAU OF REAL ESTATE

By *A. Selous*

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

4 Telephone: (213) 576-6982

8 **BEFORE THE BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Application of)

No. H-03121 FR

12 **JESUS DAVID SIFUENTES**)

13 Respondent.)

STIPULATION AND WAIVER

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

18 I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the
19 Real Estate Commissioner ("Commissioner") has found grounds that justify the denial of the
20 issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to
21 deny the issuance of an unrestricted real estate salesperson license to me pursuant to
22 Sections 475(a)(3), 480(a)(2), and 10177(j) of the Business and Professions Code ("the Code") for
23 the conduct underlying the conviction for violation of California Vehicle Code Section 10851(a)
24 (Unlawful Driving Or Taking Of Vehicle Without Consent Of Owner), a felony, and California
25 Vehicle Code Section 8804 (Resident's Registration Of Vehicle In Foreign Jurisdiction), a
26 misdemeanor.

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

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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
3 of 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
12 must 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
17 exercised including the right of renewal, and the Commissioner may by appropriate
18 order suspend the right to exercise any privileges granted under the restricted license in
19 the event of:

20 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
21 bears a substantial relationship to Respondent's fitness or capacity as a real estate
22 licensee; or

23 b. The receipt of evidence that Respondent has violated provisions of the California
24 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner,
25 or conditions attaching to the restricted license.

26 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real
27 estate license nor the removal of any of the conditions, limitations, or restrictions

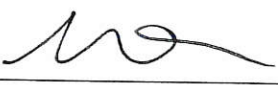
1 attaching to the restricted license until two (2) years have elapsed from the date of
2 issuance of the restricted license to Respondent. Respondent shall not be eligible to
3 apply for any unrestricted licenses until all restrictions attaching to the license have
4 been removed.

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

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

- 16 a. That the broker has read the Stipulation and Waiver which is the basis for the
17 issuance of the restricted license; and
- 18 b. That the broker will carefully review all transaction documents prepared by the
19 restricted licensee and otherwise exercise close supervision over the licensee's
20 performance of acts for which a license is required.

21
22 5-12-2017
23 Dated

24 
25 _____
26 Steve Chu, Counsel
27 Bureau of Real Estate

25 Respondent has read this Stipulation and Waiver, and its terms are understood by
26 Respondent and are agreeable and acceptable to Respondent. Respondent understands that
27 Respondent is waiving rights given to Respondent by the Administrative Procedure Act

1 (including, but not limited to, Government Code Sections 11504, 11506, 11508, 11509, and
2 11513), and Respondent willingly, intelligently, and voluntarily waives those rights, including, but
3 not limited to, the right to a hearing on a Statement of Issues at which Respondent would have the
4 right to cross-examine witnesses against Respondent and to present evidence in defense and
5 mitigation of the charges.


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7 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
8 Steve Chu, Bureau of Real Estate, 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105.

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

16
17 5-1-17

18 Dated

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JESUS DAVID SIFUENTES, Respondent

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

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

10 This Order is effective immediately.

11 IT IS SO ORDERED

5/30/17

12 WAYNE S. BELL
13 REAL ESTATE COMMISSIONER

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15 _____

16 By: DANIEL J. SANDRI
17 Chief Deputy Commissioner