

1 DEPARTMENT OF REAL ESTATE  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

FILED  
DEC 21 2005

DEPARTMENT OF REAL ESTATE

By K. Contreras

7 DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 *In the Matter of the Application of*

10 ANTHONY PETER MEZZADRI,

11 Respondent.

) NO. H-3330 SD

) STIPULATION AND WAIVER

12  
13 I, ANTHONY PETER MEZZADRI, Respondent herein, do hereby affirm that I have  
14 applied to the Department of Real Estate for a real estate salesperson license and that to the best of my  
15 knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the  
16 payment of the fee therefor.

17 I acknowledge that I have received and read the Statement of Issues and the Statement to  
18 Respondent filed by the Department of Real Estate on December 2, 2005, in connection with my application  
19 for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on  
20 this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to  
21 prove other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted  
22 real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the  
23 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
24 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I  
25 further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate  
26 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
27 issuance to me of an unrestricted real estate salesperson license.

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

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

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

- 13 1. The license shall not confer any property right in the privileges to be exercised  
14 including the right of renewal, and the Real Estate Commissioner may by appropriate  
15 order suspend the right to exercise any privileges granted under this restricted license  
16 in the event of:
  - 17 a. The conviction of Respondent (including a plea of nolo contendere) to a crime  
18 which bears a substantial relationship to Respondent's fitness or capacity as a  
19 real estate licensee; or
  - 20 b. The receipt of evidence that Respondent has violated provisions of the California  
21 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
22 Commissioner, or conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor  
24 the removal of any of the conditions, limitations or restrictions attaching to the  
25 restricted license until two years have elapsed from the date of issuance of the  
26 restricted license to Respondent.

27 ///

1                   3.   With the application for license, or with the application for transfer to a new  
2                    employing broker, I shall submit a statement signed by the prospective employing  
3                    broker on a form approved by the Department of Real Estate wherein the employing  
4                    broker shall certify as follows:

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

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

10                  4.   My restricted real estate salesperson license is issued subject to the requirements of  
11                    Section 10153.4 of the Business and Professions Code, to wit: I am required, within  
12                    eighteen (18) months of the issuance of the restricted license, to submit evidence  
13                    satisfactory to the Commissioner of successful completion, at an accredited  
14                    institution, of a course in real estate practices and one of the courses listed in Section  
15                    10153.2, other than real estate principles, advanced legal aspects of real estate,  
16                    advanced real estate finance, or advanced real estate appraisal. If I fail to timely  
17                    present to the Department satisfactory evidence of successful completion of the two  
18                    required courses, the restricted license shall be automatically suspended effective  
19                    eighteen (18) months after the date of its issuance. Said suspension shall not be lifted  
20                    unless, prior to the expiration of the restricted license, I have submitted the required  
21                    evidence of course completion and the Commissioner has given written notice to  
22                    Respondent of the lifting of the suspension.

23                  5.   Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified  
24                    license under Section 10153.4, Respondent shall not be entitled to renew the restricted  
25                    license, and shall not be entitled to the issuance of another license which is subject to  
26                    Section 10153.4 until four years after the date of the issuance of the preceding  
27                    restricted license.

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

12/12/05

Dated

Anthony P. Mezzadri  
ANTHONY PETER MEZZADRI, Respondent

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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 Respondent ANTHONY PETER MEZZADRI, if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED

Dolores Weeks for  
DOLORES WEEKS, Southern Regional Manager for  
JEFF DAVI  
Real Estate Commissioner

December 20, 2005

1 DANIEL E. KEHEW, Counsel (SBN 231550)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0425 (Direct)

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DEPARTMENT OF REAL ESTATE

By B. Contreras

7  
8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of )  
13 ANTHONY PETER MEZZADRI, ) H-3330 SD  
14 Respondent. ) STATEMENT OF ISSUES  
15 )

16 The Complainant, PHILLIP IHDE, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against ANTHONY PETER MEZZADRI (hereinafter "Respondent"), is  
19 informed and alleges as follows:

20 I

21 Complainant, PHILLIP IHDE, a Deputy Real Estate  
22 Commissioner of the State of California, makes this Statement of  
23 Issues against Respondent in his official capacity.

24 II

25 Respondent made application to the Department of Real  
26 Estate of the State of California for a real estate salesperson  
27 license on or about October 19, 2004, with the knowledge and

1 understanding that any license issued as a result of said  
2 application would be subject to the conditions of Section 10153.4  
3 of the Business and Professions Code (hereinafter "Code").

4 III

5 In response to Question 25 of said application, to  
6 wit: "Have you ever been convicted of any violation of law?",  
7 Respondent replied "no".

8 IV

9 On or about March 15, 1990, in the Fairfax County  
10 General District Court of the Commonwealth of Virginia, Respondent  
11 was convicted of Concealing Merchandise in violation of Section  
12 18.2-111 of the Code of Virginia, a misdemeanor and a crime  
13 involving moral turpitude that bears a substantial relationship  
14 under Section 2910, Title 10, California Code of Regulations  
15 (hereinafter "Regulations"), to the qualifications, functions,  
16 or duties of a real estate licensee.

17 V

18 Respondent's criminal conviction, described in  
19 Paragraph IV above, constitutes cause for denial of Respondent's  
20 application for a real estate license under Sections 480(a) and  
21 10177(b) of the Code.

22 VI

23 Respondent's failure to reveal in said application the  
24 conviction set forth in Paragraph IV above constitutes the  
25 attempted procurement of a real estate license by fraud,  
26 misrepresentation, or deceit, or by making a material misstatement  
27 of fact in said application, which failure is cause for denial of

1 Respondent's application for a real estate license under Sections  
2 480(c) and 10177(a) of the Code.

3 WHEREFORE, Complainant prays that above-entitled matter  
4 be set for hearing and, upon proof of the charges contained  
5 herein, that the Commissioner refuse to authorize the issuance  
6 of, and deny the issuance of a real estate salesperson license to  
7 Respondent, and for such other and further relief as may be  
8 proper under other provisions of law.

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12 \_\_\_\_\_  
13 PHILLIP IHDE  
14 Deputy Real Estate Commissioner  
15

16 Dated at Los Angeles, California  
17 this 30<sup>th</sup> day of NOVEMBER, 2005.  
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