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FILED

DEC 06 2023

DEPARTMENT OF REAL ESTATE

By B. Nicholas

9 **DEPARTMENT OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 *In the Matter of the Application of*

13 GREGORY ELIJAH PRIAULX,

14 Respondent.

H-3518 FR

STIPULATION AND WAIVER

(Per Business and Professions Code § 10100.4)

15 GREGORY ELIJAH PRIAULX, ("Respondent") does hereby affirm that on May
16 9, 2022, Respondent applied to the Department of Real Estate ("Department") for a real estate
17 salesperson license and that to the best of Respondent's knowledge Respondent satisfied all of
18 the statutory requirements for the issuance of the license, including the payment of the fee.

19 FACTUAL BASIS

20 On or about April 11, 2019, in the Superior Court of the State of California,
21 County of Fresno, Case No. F17905226, Respondent was convicted of violating Section
22 23153(b) (driving with a .08% blood alcohol causing injury) of the California Vehicle Code, a
23 felony.

24 GROUND FOR DENIAL

25 Respondent's criminal conviction constitutes grounds under Sections 480 and
26 10177(b) of the Business and Professions Code ("Code") for the denial of Respondent's
27 application for an unrestricted real estate license.

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1 which was executed pursuant to the authority under section 10100.4 and 10156.5 of the Code, is
2 considered discipline by the Department.

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

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

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

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

16 2. Respondent shall not be eligible to petition for the issuance of an
17 unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions
18 attaching to the restricted real estate license until four (4) years have elapsed from the date of
19 issuance of the restricted real estate license to Respondent. Respondent shall not be eligible to
20 apply for any unrestricted licenses until all restrictions attaching to the license have been removed.


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

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

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

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

11
12 10/26/23
13 Dated


KYLE JONES, Attorney
Department of Real Estate

14 ***

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

23 Respondent can signify acceptance and approval of the terms and conditions of
24 this Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed
25 by Respondent, to the Department counsel assigned to this case. Respondent agrees,
26 acknowledges, and understands that by electronically sending the Department a scan of
27 Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the scan

1 by the Department shall be binding on Respondent as if the Department had received the original
2 signed Stipulation and Waiver.

3 10/23/2023 Greg Priaulx
4 Dated GREGORY ELIJAH PRIAULX, Respondent

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

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

13 This Order is effective immediately.

14 IT IS SO ORDERED 11/16/23.
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