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MAY 17 2011

DEPARTMENT OF REAL ESTATE

By *L. Just*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of

ROBERT YU,

Respondent.

No. H-3526 SD

ORDER GRANTING UNRESTRICTED LICENSE

On June 22, 2006, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on August 4, 2006, and Respondent has operated as a restricted licensee since that time.

On October 23, 2008, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

I have considered Respondent's petition and the evidence submitted in support thereof including Respondent's record as a restricted licensee. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of

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1 an unrestricted real estate salesperson license and that it would not be against the public interest
2 to issue said license to Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
4 restrictions is granted and that a real estate salesperson license be issued to Respondent if
5 Respondent satisfies the following requirements:

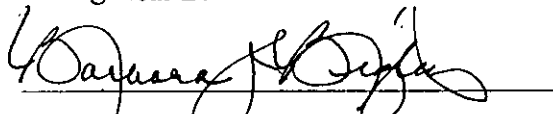
6 1. Submits a completed application and pays the fee for a real estate
7 salesperson license within the 12 month period following the date of this Order; and

8 2. Submits proof that Respondent has completed the continuing education
9 requirements for renewal of the license sought. The continuing education courses must be
10 completed either (i) within the 12 month period preceding the filing of the completed
11 application, or (ii) within the 12 month period following the date of this Order.

12 This Order shall become effective immediately.

13 IT IS SO ORDERED 5/3/11
14

15 BARBARA J. BIGBY
16 Acting Real Estate Commissioner

17 
18 BY: Barbara J. Bigby

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 issuance to me of an unrestricted real estate salesperson license.

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

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

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

- 15 1. The license shall not confer any property right in the privileges to be exercised including the
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
17 to exercise any privileges granted under this restricted license in the event of:
 - 18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 20 b. The receipt of evidence that respondent has violated provisions of the California Real
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 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 the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until two years have elapsed from the date of issuance of the restricted license to respondent.
26
27

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

- 4 a. That broker has read the Statement of Issues which is the basis for the issuance of the
5 restricted license; and
6 b. That broker will carefully review all transaction documents prepared by the restricted
7 licensee and otherwise exercise close supervision over the licensee's performance of acts
8 for which a license is required.

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

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

24 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
25 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
26 number (916) 227-9458. Respondent agrees, acknowledges and understands that by electronically sending
27 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 06-05-06

4 Dated

ROBERT YU, Respondent

5 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
6 respondent. I am 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 interest to issue a
8 restricted real estate salesperson license to respondent.

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

13 This Order is effective immediately.

14 IT IS SO ORDERED June 22, 2006

15
16 Jeff Davi
17 Real Estate Commissioner

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19
20 BY: Dolores Weeks
21 DOLORES WEEKS
22 Regional Manager
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27

1 TRULY SUGHRUE, Counsel
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7 Telephone: (916) 227-0781

FILED
JUN 01 2006

DEPARTMENT OF REAL ESTATE

By Anne Shauver

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA.

10 * * *

11 In the Matter of the Application of)
12)
13 ROBERT YU,)
14)
15 Respondent.)

No. H-3526 SD

STATEMENT OF ISSUES

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

20 I

21 Respondent made application to the Department of Real
22 Estate of the State of California for a real estate salesperson
23 license on or about February 3, 2005, with the knowledge and
24 understanding that any license issued as a result of said
25 application would be subject to the conditions of Section 10153.4
26 of the Business and Professions Code.

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1 II

2 Complainant, PHILLIP IHDE, a Deputy Real Estate
3 Commissioner of the State of California, makes this Statement of
4 Issues in his official capacity and not otherwise.

5 III

6 On or about February 18, 1992, in the United States
7 District Court, Southern District of California, Respondent was
8 convicted of a violation of Title 18 United States Code Section
9 922(g)(3) (Unlawful User of a Controlled Substance in Possession
10 of a Firearm), a crime involving moral turpitude which bears a
11 substantial relationship under Section 2910, Title 10, California
12 Code of Regulations, to the qualifications, functions, or duties
13 of a real estate licensee.

14 IV

15 On or about July 13, 1995, in the United States
16 District Court, Eastern District of Michigan, Respondent was
17 convicted of a violation of Title 265 United States Code Section
18 6050(f)(1)(A) (Structuring a Transaction to Evade the Reporting
19 Requirement), a crime involving moral turpitude which bears a
20 substantial relationship under Section 2910, Title 10, California
21 Code of Regulations, to the qualifications, functions, or duties
22 of a real estate licensee.

23 V

24 The crimes of which Respondent was convicted, as
25 alleged above, constitute cause for denial of Respondent's
26 application for a real estate license under Sections 480(a) and
27 10177(b) of the California Business and Professions Code.

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

7
8 
9 PHILLIP IHDE
Deputy Real Estate Commissioner

10 Dated at Los Angeles, California,
11 this 31st day of MAY, 2006.