

FILED
APR 12 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

VALERIE DENISE WILLIAMS,

Respondent

No. H- 3559 SAC

**STIPULATION AND
WAIVER**

I, VALERIE DENISE WILLIAMS, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on January 22, 2001, in connection with my application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that she may in her discretion waive the hearing and grant me a restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

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 request that the Real Estate Commissioner in her 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.

- 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)
11 months of the issuance of the restricted license, to submit evidence satisfactory to the
12 Commissioner of successful completion, at an accredited institution, of two of the courses listed
13 in Section 10153.2, other than real estate principles, advanced legal aspects of real estate,
14 advanced real estate finance, or advanced real estate appraisal. If I fail to timely present to the
15 Department satisfactory evidence of successful completion of the two required courses, the
16 restricted license shall be automatically suspended effective eighteen (18) months after the date
17 of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted
18 license, I have submitted the required evidence of course completion and the Commissioner has
19 given written notice to me 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, I shall not be entitled to renew the restricted license, and shall not be
22 entitled to the issuance of another license which is subject to Section 10153.4 until four years
23 after the date of the issuance of the preceding restricted license.

24 DATED this 28th day of February, 2001.

25 
26 Respondent - VALERIE DENISE WILLIAMS
27

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

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

9 This Order is effective immediately.

10 DATED this 9th day of April, 2001.
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13 PAULA REDDISH ZINNEMANN
Real Estate Commissioner

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FILED
JAN 22 2001

DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 VALERIE DENISE WILLIAMS,)
13 Respondent.)

NO. H-3559 SAC

STATEMENT OF ISSUES

14 The Complainant, Charles W. Koenig, a Deputy Real
15 Estate Commissioner of the State of California, for cause of
16 Statement of Issues against VALERIE DENISE WILLIAMS, alleges as
17 follows:

18 FIRST CAUSE OF ACTION

19 I

20 VALERIE DENISE WILLIAMS (hereafter Respondent),
21 pursuant to the provisions of Section 10153.3 of the Business and
22 Professions Code, made application to the Department of Real
23 Estate of the State of California for a real estate salesperson
24 license on or about January 11, 2000, with the knowledge and
25 understanding that any license issued as a result of said
26 application would be subject to the conditions of Section 10153.4
27 of the Business and Professions Code.

1 II

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

5 III

6 On or about February 26, 1992, in the Municipal Court
7 of the State of California, County of Sacramento, Respondent was
8 convicted of violation of Section 484 of the California Penal
9 Code (PETTY THEFT), a crime involving moral turpitude and which
10 bears a substantial relationship under Section 2910, Title 10,
11 California Code of Regulations, to the qualifications, functions,
12 or duties of a real estate licensee.

13 IV

14 The crime of which Respondent was convicted as alleged
15 above constitutes cause for denial of Respondent's application
16 for a real estate license under Sections 480(a) and 10177(b) of
17 the California Business and Professions Code.

18 SECOND CAUSE OF ACTION

19 V

20 Respondent made application to the Department of Real
21 Estate of the State of California for a real estate salesperson
22 license on or about November 5, 1996.

23 VI

24 In response to Question 25 of said application, to wit:
25 "Have you ever been convicted of any violation of law?", Respondent
26 answered "Yes" and disclosed a conviction, but failed to disclose
27 the misdemeanor conviction alleged in Paragraph III above.

1 VII

2 Respondent's failure to reveal the conviction set forth
3 in Paragraph III above in said application constitutes the attempt
4 to procure a real estate license by fraud, misrepresentation, or
5 deceit, or by making a material misstatement of fact in said
6 application, which is cause for denial of Respondent's application
7 for a real estate license under Sections 480(c) and/or 10177(a) of
8 the Business and Professions Code.

9 PRIOR PROCEEDINGS

10 VIII

11 Effective January 26, 1998, in Action No. H-3304 SAC
12 before the State of California Department of Real Estate, the
13 application of Respondent for a conditional real estate
14 salesperson license was denied for violation of Sections 480(a),
15 480(c), 10177(a), and 10177(b) of the California Business and
16 Professions Code.

17 WHEREFORE, the Complainant prays that the above-
18 entitled matter be set for hearing and, upon proof of the charges
19 contained herein, that the Commissioner refuse to authorize the
20 issuance of, and deny the issuance of, a real estate salesperson
21 license to Respondent, and for such other and further relief as
22 may be proper in the premises.

23
24 
25 CHARLES W. KOENIG
Deputy Real Estate Commissioner

26 Dated at Sacramento, California

27 this 18th day of December, 2000.