

FLAG

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

Telephone: (213) 576-6982

FILED

OCT 18 2013

BUREAU OF REAL ESTATE
By Norma Jimenez

**BUREAU OF REAL ESTATE
STATE OF CALIFORNIA**

* * *

<i>In the Matter of the Application of</i>	)	No. H- 04503 SD
RYAN M. ORTEGA,	)	STIPULATION AND WAIVER
	)	
Respondent.	)	

It is hereby stipulated by and between RYAN M. ORTEGA (hereinafter "Respondent") and Respondent's attorney, Frank M. Buda, and the Complainant, acting by and through Lissete Garcia, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on June 19, 2013, in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Bureau of Real Estate in connection with Respondent's application for a real estate broker license. Respondent understands that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant Respondent a restricted real estate broker license based upon this Stipulation and Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent meets all the requirements for issuance of a real estate broker license. Respondent further understands that by entering into this Stipulation and Waiver,

1 Respondent will be stipulating that the Real Estate Commissioner has found that Respondent has
2 failed to make such a showing, thereby justifying the denial of the issuance to Respondent of an
3 unrestricted real estate broker license.

4 Respondent hereby admits that the allegations of the Statement of Issues filed against
5 Respondent are true and correct and requests that the Real Estate Commissioner in his discretion
6 issue a restricted real estate broker license to Respondent under the authority of Section 10156.5 of
7 the Business and Professions Code.

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

14 Respondent further understands that the following conditions, limitations, and restrictions will
15 attach to a restricted license issued by the Bureau of Real Estate pursuant hereto:

16 1. The license shall not confer any property right in the privileges to be exercised including
17 the right of renewal, and the Real Estate Commissioner may by appropriate order suspend
18 the right to exercise any privileges granted under this restricted license in the event of:

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

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

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

08/14/2013 WED 8:19 FAX Frank Buda

08/14/2013

1 the restricted license until two years have elapsed from the date of issuance of the
2 restricted license to Respondent.

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

10
11 8/23/2013
12 Dated

13
14 
15 Lissete Garcia, Counsel
16 Bureau of Real Estate

17 ***

18 I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are
19 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights
20 given to me by the California Administrative Procedure Act (including but not limited to Sections
21 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and
22 voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I
23 would have the right to cross-examine witnesses against me and to present evidence in defense and
24 mitigation of the charges.

25 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation
26 and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Bureau
27 at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by
electronically sending to the Bureau a fax copy of his actual signature as it appears on the

Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation and Waiver.

8/23/13

Dated

Amberley

RYAN M. ORTEGA
Respondent

* * *

I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

5-23-17

Dated

Full in Birds

Frank M. Buda
Attorney for Respondent

* * *

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 broker license to Respondent.

111

///

111

111

111

111

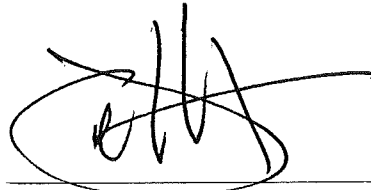
11

1 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
2 Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for licensure.
3 The restricted license shall be limited, conditioned, and restricted as specified in the foregoing
4 Stipulation and Waiver.

5 This Order is effective immediately.

6 IT IS SO ORDERED SEPTEMBER 10, 2013

7
8 Real Estate Commissioner

9
10 

11 By: JEFFREY MASON
12 Chief Deputy Commissioner
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27