

1 Department of Real Estate  
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3 Sacramento, CA 95818-7007

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FILED  
FEB - 5 2007

DEPARTMENT OF REAL ESTATE

By K. Contreras

7 DEPARTMENT OF REAL ESTATE  
8 STATE OF CALIFORNIA

9  
10 *In the Matter of the Application of*

11 DAVID ROBERT MEEHAN

12  
13  
14 Respondent

) No. H- 4549 SAC  
)  
)  
)

) STIPULATION AND  
) WAIVER  
)  
)

15 I, DAVID ROBERT MEEHAN, respondent herein, do hereby affirm that I have applied to the  
16 Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have  
17 satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee  
18 therefor.

19 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent  
20 filed by the Department of Real Estate on October 5, 2006, in connection with my application for a real  
21 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this  
22 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove  
23 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real  
24 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the  
25 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
26 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I  
27 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 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 12-27-06

4 Dated

David Robert Meehan  
DAVID ROBERT MEEHAN, Respondent

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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 DAVID ROBERT MEEHAN if respondent has otherwise fulfilled all of the statutory  
11 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in  
12 the foregoing Stipulation and Waiver.

13 This Order is effective immediately.

14 IT IS SO ORDERED 1-30-07

16 Jeff Davi  
17 Real Estate Commissioner

18 Jeff Davi  
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FILED  
OCT - 5 2006

DEPARTMENT OF REAL ESTATE

By K. Contreras

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of )  
DAVID ROBERT MEEHAN, )  
Respondent. )

H-4549 SAC

STATEMENT OF ISSUES

The Complainant, CHARLES W. KOENIG, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against DAVID ROBERT MEEHAN (herein "Respondent") is informed and alleges as follows:

I

Complainant, CHARLES W. KOENIG, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues against Respondent in his official capacity.

II

Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson license on or about May 2, 2006, 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 (herein "Code").

4 III

5 Effective June 26, 2006, in Case No. N2003-393, before  
6 the Registrar of Contractors, Contractor's State License Board,  
7 State of California, after giving Respondent fair notice of the  
8 charges, an opportunity for a hearing, and other due process  
9 protections required by the Administrative Procedure Act, the  
10 Registrar of Contractors revoked Respondent's general building  
11 contractor's license pursuant to the provisions of Sections 7108  
12 and 7108.5 of the Code in conjunction with Sections 7122 and  
13 7122.5 of the Code and stayed such revocation subject to a two-  
14 year probationary period to commence upon timely filing of a  
15 \$20,000 disciplinary bond or cash deposit pursuant to Section  
16 7071.8 of the Code.

17 IV

18 Respondent failed to timely file the \$20,000  
19 disciplinary bond or cash deposit described in Paragraph III,  
20 above, and said general building contractor's license was  
21 thereupon indefinitely suspended.

22 V

23 Respondent's said general building contractor's  
24 license was suspended, as described in Paragraphs III and IV,  
25 above, for acts which, if committed by a real estate licensee,  
26 would constitute grounds for the suspension or revocation of a  
27 California real estate license pursuant to the provisions of

1 Sections 10177(g) and/or 10177(j) of the Code in conjunction  
2 with Section 10177(k) of the Code

3 VI

4 Respondent's acts and omissions described in Paragraph  
5 III through V, inclusive, above, constitute cause for denial of  
6 Respondent's application for a real estate license under Section  
7 10177(f) of the Code.

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

14  
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16   
17 CHARLES W. KOENIG  
18 Deputy Real Estate Commissioner

19 Dated at Sacramento, California  
20 this 26<sup>th</sup> day of September, 2006.