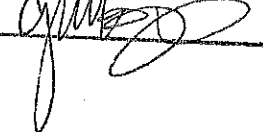


FILED

MAY 10 2016

BUREAU OF REAL ESTATE

By 

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

3  
4 Telephone: (213) 576-6982  
5

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7  
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of

) No. H- 04793 SD

12 MARK ANDREW JOHNSON,

) STIPULATION AND WAIVER

13 Respondent.  
14

15 I, MARK ANDREW JOHNSON ("Respondent"), do hereby affirm that I have applied to  
16 the Bureau of Real Estate for a real estate salesperson license, and that to the best of my  
17 knowledge I have satisfied all of the statutory requirements for the issuance of the license,  
18 including, but not limited to, the payment of the fee therefor.

19 I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the  
20 Real Estate Commissioner has found grounds that justify the denial of the issuance of an  
21 unrestricted real estate salesperson license to me. I agree that there are grounds to deny the  
22 issuance of an unrestricted real estate salesperson license to me pursuant to California Business  
23 and Professions Code ("the Code") Sections 480(a), 10177(b), and 10177(j) for the following  
24 convictions:

- 25
- April 25, 2000: violation of Florida Statutes Sections 810.02(1) and 810.02(b) (armed  
26 burglary of a dwelling), a felony;
  - July 1, 1999: violation of Florida Statutes Sections 810.02(1) and 810.02(2)(a)  
27

1 (burglary of a dwelling), and Sections 812.014(1)(a), 812.014 (1)(b), and  
2 812.014(2)(c)(1) (3<sup>rd</sup> degree grand theft), felonies;

- 3 • November 24, 1998: violation of Florida Statutes Section 812.014 (theft), a  
4 misdemeanor;
- 5 • November 5, 1998: violation of Florida Statutes Section 322.34(2) (driving with a  
6 suspended license), a misdemeanor;
- 7 • June 20, 1998: violation of Florida Statutes Section 843.02 (resisting officer without  
8 violence), a misdemeanor;
- 9 • December 18, 1997: violation of Florida Statutes Section 316.193 (driving under the  
10 influence), a misdemeanor;
- 11 • October 10, 1997: violation of Florida Statutes Section 856.021 (prowling or  
12 loitering), a misdemeanor; and
- 13 • October 18, 1995: for violation of Florida Statutes Section 812.014(1)(a) (theft to  
14 deprive), a misdemeanor.

15 I hereby request that the Real Estate Commissioner in his discretion issue a restricted real  
16 estate salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the  
17 Code. I understand that any such restricted license will be issued subject to the provisions of and  
18 limitations of Sections 10156.6 and 10156.7 of the Code.

19 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation  
20 and Waiver is accepted and signed by the Real Estate Commissioner, the Real Estate  
21 Commissioner will not file a Statement of Issues based on the grounds herein, and I am waiving  
22 my right to a hearing and the opportunity to present evidence at the hearing to establish my  
23 rehabilitation in order to obtain an unrestricted real estate salesperson license.

24 I agree that by signing this Stipulation and Waiver, the conditions, limitations, and  
25 restrictions imposed on my restricted license, identified below, may be removed only by filing a  
26 Petition for Removal of Restrictions ("petition") with the Real Estate Commissioner, and that my  
27 petition must follow the procedures set forth in Government Code Section 11522.

1 I further understand that the restricted license issued to me shall be subject to all of the  
2 provisions of Section 10156.7 of the Code and to the following limitations, conditions and  
3 restrictions imposed under authority of Section 10156.6 of the Code:

- 4 1. The license shall not confer any property right in the privileges to be exercised  
5 including the right of renewal, and the Real Estate Commissioner may by appropriate  
6 order suspend the right to exercise any privileges granted under this restricted license  
7 in the event of:
  - 8 a. Respondent's conviction (including a plea of nolo contendere) of a crime that  
9 bears a substantial relationship to Respondent's fitness or capacity as a real  
10 estate licensee; or
  - 11 b. The receipt of evidence that Respondent has violated provisions of the  
12 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real  
13 Estate Commissioner, or conditions attaching to this restricted license.
- 14 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real  
15 estate license nor the removal of any of the conditions, limitations, or restrictions  
16 attaching to the restricted license until two (2) years have elapsed from the date of  
17 issuance of the restricted license to Respondent. Respondent shall not be eligible to  
18 apply for any unrestricted licenses until all restrictions attaching to the license have  
19 been removed.
- 20 3. Respondent shall notify the Real Estate Commissioner in writing within seventy-two  
21 (72) hours of any arrest by sending a certified letter to the Real Estate Commissioner  
22 at the Bureau of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013.  
23 The letter shall set forth the date of Respondent's arrest, the crime for which  
24 Respondent was arrested, and the name and address of the arresting law enforcement  
25 agency. Respondent's failure to timely file written notice shall constitute an  
26 independent violation of the terms of the restricted license and shall be grounds for  
27 the suspension or revocation of that license.

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

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

10 Respondent has read the Stipulation and Waiver, and its terms are understood by  
11 Respondent and are agreeable and acceptable to Respondent. Respondent understands that  
12 Respondent is waiving rights given to Respondent by the California Administrative Procedure  
13 Act (including, but not limited to, California Government Code Sections 11504, 11506, 11508,  
14 11509, and 11513), and Respondent willingly, intelligently, and voluntarily waives those rights,  
15 including, but not limited to, the right to a hearing on a Statement of Issues at which Respondent  
16 would have the right to cross-examine witnesses against Respondent and to present evidence in  
17 defense and mitigation of the charges.

18 Respondent can signify acceptance and approval of the terms and conditions of this  
19 Stipulation and Waiver by faxing a copy of its signature page, as actually signed by Respondent,  
20 to the Bureau of Real Estate at the following telephone/fax number: (213) 576-6917.  
21 Respondent agrees, acknowledges, and understands that by electronically sending to the Bureau  
22 of Real Estate a fax copy of his actual signature as it appears on the Stipulation and Waiver, that  
23 receipt of the faxed copy by the Bureau of Real Estate shall be as binding on Respondent as if the  
24 Bureau of Real Estate had received the original signed Stipulation and Waiver.

25 ///

26 ///

27 ///

1 Respondent agrees, acknowledges and understands that by signing this Stipulation and  
2 Waiver he is bound by its terms as of the date of such signature and that such agreement is not  
3 subject to rescission or amendment at a later date except by a separate Decision and Order of the  
4 Real Estate Commissioner.

5  
6  
7 April 5<sup>th</sup> 2016

8 Dated

Mark Johnson

MARK ANDREW JOHNSON, Respondent

9 \* \* \*

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

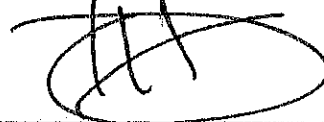
14 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
15 issued to Respondent MARK ANDREW JOHNSON if Respondent has otherwise fulfilled all of  
16 the statutory requirements for licensure. The restricted salesperson license shall be limited,  
17 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

18 This Order is effective immediately.

19  
20 IT IS SO ORDERED

MAY 3, 2016

21 WAYNE S. BELL  
22 REAL ESTATE COMMISSIONER

23 

24 By: JEFFREY MASON  
25 Chief Deputy Commissioner