

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

3 Telephone: (213) 576-6982

FILED

NOV 15 2016

BUREAU OF REAL ESTATE

By *Zhi Gan*

8 **BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 ***

11 In the Matter of the Application of

12 **ALEJANDRO TYRONE BARAJAS,**

13 Respondent.

CalBRE No. H-04812 SD

14 **STIPULATION AND WAIVER**

15 I, ALEJANDRO TYRONE BARAJAS, Respondent herein, do hereby affirm that I have
16 applied to 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 the payment of the fee therefor.

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

1 into this Stipulation and Waiver I will be stipulating that the Commissioner has found that I have
2 failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted
3 real estate salesperson license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true and
5 correct and request that the Commissioner in his discretion issue a restricted real estate salesperson
6 license to me under the authority of Section 10156.5 of the Business and Professions Code
7 ("Code").

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

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

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

- 21 1. The restricted license shall not confer any property right in the privileges to be exercised
22 including the right of renewal, and the Commissioner may by appropriate order suspend
23 the right to exercise any privileges granted under the restricted license in the event of:
 - 24 a. Respondent's conviction (including a plea of nolo contendere) of a crime which
25 bears a substantial relationship to Respondent's fitness or capacity as a real estate
26 licensee; or

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

2. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until two (2) years have elapsed from the date of issuance of the restricted license to Respondent. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.

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

a. That the broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and

b. That the broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. Respondent shall notify the Commissioner in writing within seventy-two (72) hours of any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

Dated

Judith B. Vasan, Counsel
Bureau of Real Estate

* * *

1 Respondent has read this Stipulation and Waiver and its terms are understood by Respondent,
2 and agreeable and acceptable to Respondent. Respondent understands that Respondent is waiving
3 rights given to Respondent by the Administrative Procedure Act (including, but not limited to,
4 Government Code sections 11504, 11506, 11508, 11509, and 11513), and willingly, intelligently,
5 and voluntarily waives those rights, including, but not limited to, the right to a hearing on a
6 Statement of Issues at which Respondent would have the right to cross-examine witnesses against
7 Respondent and to present evidence in defense and mitigation of the charges.

8 Respondent shall send a hard copy of the original signed Stipulation and Waiver to: Judith
9 B.Vasan, Bureau of Real Estate, 320 West Fourth St, Ste 350, Los Angeles, CA, 90013.

10 In the event of time constraints before an administrative hearing, Respondent can signify
11 acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a
12 scanned copy of the signature page, as actually signed by Respondent, to the Bureau counsel
13 assigned to this case. Respondent agrees, acknowledges and understands that by electronically
14 sending the Bureau a scan of Respondent's actual signature as it appears on the Stipulation and
15 Waiver, that receipt of the scan by the Bureau shall be binding on Respondent as if the Bureau had
16 received the original signed Stipulation and Waiver.

17 Respondent agrees, acknowledges and understands that by signing this Stipulation and
18 Waiver he is bound by its terms as of the date of such signature and that such agreement is not
19 subject to rescission or amendment at a later date except by a separate Decision and Order of the
20 Commissioner.

21
22 10-22-10

23 Dated

21
22 

23 ALEJANDRO TYRONE BARAJAS, Respondent

24 * * *

25 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver
26 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as
27

1 to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to
2 the public interest to issue a restricted real estate salesperson license to Respondent.

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

7 This Order is effective immediately.

8 IT IS SO ORDERED 11/7/16

9 WAYNE S. BELL
10 REAL ESTATE COMMISSIONER

11 
12

13 By: DANIEL SANDRI
14 Assistant Commissioner
15
16
17
18
19
20
21
22
23
24
25
26
27