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FILED  
JAN 27 1981

DEPARTMENT OF REAL ESTATE

*Mary A. Morello*  
Mary A. Morello

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Application of )  
DENNIS LEE THYGESEN, )  
Respondent. )

NO. H-4927 SF

STIPULATION AND WAIVER

I, DENNIS LEE THYGESEN, respondent  
herein, do hereby affirm that I have applied to the Department of  
Real Estate for a real estate broker license and that to the best  
of my knowledge I have satisfied all of the statutory require-  
ments 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 August 14, 1980, in  
connection with my application for 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

1 honesty and truthfulness, or that he may in his discretion waive  
2 the hearing and grant me a restricted real estate broker license  
3 based upon this Stipulation and Waiver.

4 I do hereby admit that the allegations of the Statement  
5 of Issues filed against me are true and correct and request that  
6 the Real Estate Commissioner in his discretion issue to me a  
7 restricted real estate broker license under the authority of  
8 Section 10156.5 of the Business and Professions Code, to be  
9 effective no earlier than January 16, 1981.

10 I am aware that by signing this Stipulation and Waiver,  
11 I am waiving my right to a hearing and any opportunity through a  
hearing to obtain an unrestricted real estate license at this  
time if the Stipulation and Waiver is accepted by the Real Estate  
Commissioner. I understand, however, that I am not waiving my  
right to a hearing and to further proceedings to obtain a  
restricted or unrestricted license if this Stipulation and Waiver  
is not accepted by the Commissioner.

I further understand that the following conditions,  
19 limitations and restrictions will attach to a restricted license  
20 issued by the Department of Real Estate pursuant hereto:

21 1. The license shall not confer any property right  
22 in the privileges to be exercised thereunder and  
the Real Estate Commissioner may by appropriate  
order suspend the right of respondent to exercise  
any privileges granted under this restricted  
license in the event of:

27 a. The conviction of respondent or a plea of

1 nolo contendere to a crime which bears a  
2 significant relation to respondent's fitness  
3 or capacity as a real estate licensee; or  
4 b. The receipt of evidence that respondent has  
5 violated provisions of the California Real  
6 Estate Law, the Subdivided Lands Law, regu-  
7 lations of the Real Estate Commissioner or  
conditions attaching to this restricted license.

2. Respondent shall not be eligible to apply for the  
issuance of an unrestricted real estate license nor  
for the removal of any of the conditions, limita-  
tions or restrictions of the restricted license  
13 until one year has elapsed from the date of  
14 issuance of the restricted license to respondent.  
15

17  
18  
19  
20  
2  
24 DATED this 13th day of January, 1986.

20  
Donald R. Hyggen  
Respondent

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

7 Therefore, IT IS HEREBY ORDERED that a restricted real  
8 estate broker license be issued to respondent

9 DENNIS LEE THYGESEN if respondent has otherwise  
10 fulfilled all of the statutory requirements for licensure. The  
11 restricted license shall be limited, conditioned and restricted as  
12 specified in the foregoing Stipulation and Waiver.

13 DATED this 23<sup>rd</sup> day of January, 1981.

16 David H. Fox

17 DAVID H. FOX

18 Real Estate Commissioner by

19 Rickard D. Carlson

20 Assistant Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

FILED  
OCT 24 1980

DEPARTMENT OF REAL ESTATE

By Linda M. Souza

Linda M. Souza

In the Matter of the Application of )  
 )  
DENNIS LEE THYGESEN )  
Respondent )

No. H-4927 SF  
N 15551

NOTICE OF HEARING ON APPLICATION

(Pursuant to Section 11509 of the Government Code)

TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that a hearing will be held before the Department of  
Real Estate at Hearing Room  
100 Van Ness Avenue, 11th Floor, San Francisco, CA  
on the 31st day of December, 1980, at the hour of 9:00 a.m.  
or as soon thereafter as the matter can be heard, upon the Statement of Issues  
served upon you.

You may be present at the hearing, and you may be represented by counsel,  
but you are neither required to be present at the hearing, nor are you required  
to be represented by counsel. However, if you are not present at the hearing  
in person, nor represented at the hearing by counsel, the agency may take dis-  
ciplinary action against you upon any express admissions, or upon other evidence,  
and in the event that no notice of defense has been filed by you, upon  
affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the  
agency action sought and if you are not present nor represented at the hearing,  
the agency may act upon your application without taking evidence.

You may present any relevant evidence, and will be given full opportunity  
to cross-examine all witnesses testifying against you. You are entitled to the  
issuance of subpoenas to compel the attendance of witnesses and the production  
of books, documents or other things by applying to the Department of Real Estate.

Dated: October 24, 1980

DAVID H. FOX  
REAL ESTATE COMMISSIONER

By Stephen W. Thomas  
Attorney rk.  
STEPHEN W. THOMAS

Larry Cannon

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

In the Matter of the Application of )  
DENNIS LEE THYGESSEN )  
Respondent )

No. H-4927 SF  
N 15551

By Stephen W. Thomas

NOTICE OF HEARING ON APPLICATION

(Pursuant to Section 11509 of the Government Code)

TO THE RESPONDENT ABOVE NAMED:

YOU ARE HEREBY NOTIFIED that a hearing will be held before the Department of Real Estate at Hearing Room, Office of Administrative Hearings, 100 Van Ness Avenue, 11th Floor, San Francisco, CA on the 10th day of October, 1980, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you.

You may be present at the hearing, and you may be represented by counsel but you are neither required to be present at the hearing, nor are you required to be represented by counsel. However, if you are not present at the hearing in person, nor represented at the hearing by counsel, the agency may take disciplinary action against you upon any express admissions, or upon other evidence, and in the event that no notice of defense has been filed by you, upon affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the agency action sought and if you are not present nor represented at the hearing, the agency may act upon your application without taking evidence.

You may present any relevant evidence, and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

Dated: September 15, 1980

DAVID H. FOX  
REAL ESTATE COMMISSIONER

By

Stephen W. Thomas  
Attorney  
STEPHEN W. THOMAS

COPY

1 STEPHEN W. THOMAS, Counsel  
2 185 Berry Street  
3 Room 5816  
4 San Francisco, CA 94107  
5 Telephone: (415) 557-3220

FILED  
AUG 14 1980

DEPARTMENT OF REAL ESTATE

By Mary A. Morello  
Mary A. Morello

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 - - -  
11 In the Matter of the Application of )  
12 DENNIS LEE THYGESEN, )  
13 Respondent. )  
14

NO. H-4927 SF

STATEMENT OF ISSUES

15 I

16 The Real Estate Commissioner of the State of California  
17 (hereinafter referred to as Commissioner) in conformity with  
18 Section 10152 of the Business and Professions Code of the State  
19 of California (hereinafter referred to as the Code) requires  
20 further proof of the honesty and truthfulness of DENNIS LEE  
21 THYGESEN (hereinafter referred to as respondent) in connection  
22 with his application for a real estate broker license filed on  
23 or about April 8, 1980, and pursuant thereto, has instituted the  
24 within proceedings for the purpose of inquiring into respondent's  
25 qualifications for said license.

26 II

27 WILLIAM O. KEWLEY, a Deputy Real Estate Commissioner

1 of the State of California, acting in his official capacity as  
2 such and not otherwise, makes this Statement of Issues.

3 III

4 In acting upon the application of respondent, the  
5 Commissioner shall consider, but shall not be limited to, the  
6 following facts:

7 That on or about April 8, 1977, in the Superior Court  
8 of California, County of Mendocino, respondent was convicted by  
9 jury verdict of a violation of Section 11010 of the California  
10 Business and Professions Code (FAILURE TO NOTIFY REAL ESTATE  
11 COMMISSIONER OF INTENT TO SELL); and a violation of Section  
12 11018.2 of the California Business and Professions Code (FAILURE  
13 TO OBTAIN PUBLIC REPORT PRIOR TO SALE); and a violation of  
14 Section 506b of the California Penal Code (FAILURE TO DISBURSE  
15 MONIES ENTRUSTED FOR SPECIFIC TAX PURPOSES); that thereafter,  
16 the Court ordered that the respondent be sentenced to State  
17 Prison for the term prescribed by law.

18 IV

19 That the facts, as alleged in Paragraph III above,  
20 pertain to the conviction of respondent for offenses that are  
21 felonies and crimes involving moral turpitude, and that are  
22 substantially related to the qualifications, functions, and  
23 duties of a real estate licensee, and pursuant to the provisions  
24 of Section 480(a) and Section 10177(b) of the Code, constitute  
25 grounds for the denial of respondent's application for a license  
26 as a real estate broker.

27 / / / / /

1                                    PRIOR DISCIPLINARY ACTION

2                    That effective October 10, 1978, in Case No. H-4334 SF,  
3    the Real Estate Commissioner revoked the real estate salesperson  
4    license of respondent with the right to a restricted real estate  
5    salesperson license on terms and conditions for violation of  
6    Sections 10177(d) and 10177(f) of the Code.

7  
8                                    *William O. Kewley*  
9                                    WILLIAM O. KEWLEY  
                                  Deputy Real Estate Commissioner

10  
11    Dated at San Francisco, California  
12    this 14th day of August, 1980.