

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

4 Telephone: (213) 576-6982

FILED

AUG 23 2017

BUREAU OF REAL ESTATE

By *[Signature]*

6
7 BEFORE THE BUREAU OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 *In the Matter of the Application of*

11 LINDA ELIZABETH WEISS,

12 Respondent.

) H-04929 SD

) STIPULATION AND WAIVER

) (B&P 10100.4)

13 I, LINDA ELIZABETH WEISS ("Respondent") do hereby affirm that I have applied to the
14 Bureau of Real Estate ("Bureau") for a real estate broker license, and that to the best of my
15 knowledge I have satisfied all of the statutory requirements for the issuance of the license,
16 including, but not limited to, the payment of the fee therefor.

17 I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the
18 Real Estate Commissioner ("Commissioner") has found grounds that justify the denial of the
19 issuance of an unrestricted real estate broker license to me. I agree that there are grounds to deny
20 the issuance of an unrestricted real estate broker license to me pursuant to Business and Professions
21 Code ("the Code") Sections 480(a)(1) and 10177(b) due to my two convictions for violation of
22 Penal Code section 484 and Vehicle Code section 23103(a), respectively.

23 I hereby request that the Real Estate Commissioner in his discretion issue a restricted real
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1 estate broker license to me under the authority of Sections 10100.4 and 10156.5 of the Code.

2 I understand that any such restricted license will be issued subject to the provisions and limitations
3 of Sections 10156.6 and 10156.7 of the Code.

4 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation
5 and Waiver is accepted and signed by the Commissioner, the Commissioner will not file a
6 Statement of Issues based on the grounds herein, and I am waiving my right to a hearing and the
7 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
8 unrestricted real estate broker license.

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

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

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

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23 ///

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. Respondent shall notify the Real Estate Commissioner in writing within 72 hours of
any arrest by sending a certified letter to the Real Estate 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 _____

Lisette Garcia, Counsel for
Bureau of Real Estate

* * *

Respondent has read the Stipulation and Waiver, and its terms are understood by Respondent and are agreeable and acceptable to Respondent. Respondent understands that Respondent is waiving rights given to Respondent by the Administrative Procedure Act (including, but not limited to, Government Code Sections 11504, 11506, 11508, 11509, and 11513), and

1 Respondent willingly, intelligently, and voluntarily waives those rights, including, but not limited
2 to, the right to a hearing on a Statement of Issues at which Respondent would have the right to
3 cross-examine witnesses against Respondent and to present evidence in defense and mitigation of
4 the charges.

5 Respondent shall send a hard copy of the original signed Stipulation and Waiver to Lissete
6 Garcia Bureau of Real Estate, 320 West Fourth St, Ste 350, Los Angeles, CA, 90013. In the event
7 of time constraints before an administrative hearing, Respondent can signify acceptance and
8 approval of the terms and conditions of this Stipulation and Waiver by emailing a scanned copy of
9 the signature page, as actually signed by Respondent, to the Bureau counsel assigned to this case.
10 Respondent agrees, acknowledges and understands that by electronically sending the Bureau a scan
11 of Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the
12 scan by the Bureau shall be binding on Respondent as if the Bureau had received the original
13 signed Stipulation and Waiver.

14 08/01/2017
Dated


Linda Elizabeth Weiss, Respondent

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

22 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued
23 to Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for licensure.

1 The restricted broker license shall be limited, conditioned, and restricted as specified in the
2 foregoing Stipulation and Waiver.

3 This Order is effective immediately.

4 IT IS SO ORDERED

8/18/17

5 WAYNE BELL
6 REAL ESTATE COMMISSIONER

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9 By: DANIEL J. SANDRI
10 Chief Deputy Commissioner
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