


1 Bureau of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982

FILED

JUL -6 2018

DEPARTMENT OF REAL ESTATE

By 

8 **BUREAU OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

11 *In the Matter of the Application of*
12 ANGEL CARLOS ARMENDARIZ,
13 Respondent.

CalBRE No. H-04974 SD
OAH No. 2018030537
STIPULATION AND WAIVER

16 It is hereby stipulated by and between ANGEL CARLOS ARMENDARIZ ("Respondent"),
17 acting by and through attorney David A. Sawchak of the LAW OFFICE OF FRANK M. BUDA,
18 and the Complainant, acting by and through Amelia V. Vetrone, Counsel for the Bureau of Real
19 Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on
20 February 23, 2018, in this matter:

21 Respondent acknowledges that he has received and read the Statement of Issues and the
22 Statement to Respondent filed by the Bureau of Real Estate in connection with his application for a
23 real estate salesperson license. Respondent understands that the Real Estate Commissioner may
24 hold a hearing on this Statement of Issues for the purpose of requiring further proof of
25 Respondent's honesty and truthfulness and to prove other allegations therein, or that he may in his
26 discretion waive the hearing and grant Respondent a restricted real estate salesperson license based
27 upon this Stipulation and Waiver. Respondent also understands that by filing the Statement of

1 Issues in this matter the Real Estate Commissioner is shifting the burden to Respondent to make a
2 satisfactory showing that Respondent meets all the requirements for issuance of a real estate
3 salesperson license. Respondent further understands that by entering into this stipulation and
4 waiver, Respondent will be stipulating that the Real Estate Commissioner has found that
5 Respondent has failed to make such a showing, thereby justifying the denial of the issuance to
6 Respondent of an unrestricted real estate salesperson license.

7 Respondent hereby admits that the allegations of the Statement of Issues filed against him
8 are true and correct and requests that the Real Estate Commissioner in his discretion issue a
9 restricted real estate salesperson license to Respondent under the authority of Section 10156.5 of
10 the Business and Professions Code.

11 Respondent is aware that by signing this Stipulation and Waiver, he is waiving his right to a
12 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order
13 to obtain an unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by
14 the Real Estate Commissioner. However, Respondent is not waiving his right to a hearing and to
15 further proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not
16 accepted by the Commissioner.

17 Respondent further understands that the following conditions, limitations, and restrictions
18 will attach to a restricted license issued by the Bureau of Real Estate pursuant hereto:

- 19 1. The license shall not confer any property right in the privileges to be exercised including
20 the right of renewal, and the Real Estate Commissioner may by appropriate order suspend
21 the right to exercise any privileges granted under this restricted license in the event of:
- 22 a. Respondent's conviction (including by a plea of nolo contendere) of a crime which
23 bears a substantial relationship to Respondent's fitness or capacity as a real estate
24 licensee; or
 - 25 b. The receipt of evidence that Respondent has violated provisions of the California Real
26 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner
27 or conditions attaching to this restricted license.

1 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate
2 license nor for the removal of any of the conditions, limitations, or restrictions attaching
3 to the restricted license until four (4) years have elapsed from the date of issuance of the
4 restricted license to Respondent.

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

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

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

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

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22
23 6-4-18

24 Dated

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22 AVetrone

23 Amelia V. Vetrone, Counsel
24 Bureau of Real Estate

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I have read the Stipulation and Waiver, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

6-7-18

Dated



ANGEL CARLOS ARMENDARIZ, Respondent

I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

June 11, 2018

Dated



David A. Sawchak
Attorney for Respondent

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

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

This Order is effective immediately.

IT IS SO ORDERED June 26, 2018.

WAYNE S. BELL
Real Estate Commissioner



By: DANIEL J. SANDRI
Chief Deputy Commissioner