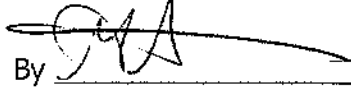


FILED

May 24, 2012

DEPARTMENT OF REAL ESTATE

By 

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

MATTHEW WAYNE STEWART,

Respondent.

No. H-5482 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

Respondent MATTHEW WAYNE STEWART petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MATTHEW WAYNE STEWART's petition for voluntary surrender of his real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in the Declaration executed by Respondent MATTHEW WAYNE STEWART on April 25, 2012, (attached as Exhibit "A" hereto).

Respondent MATTHEW WAYNE STEWART's license certificate and pocket card shall be sent to the below-listed address so that they reach the Department on or before the effective date of this Order:

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DEPARTMENT OF REAL ESTATE
Attention: Licensing Flag Section
P. O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on JUN 12 2012.

DATED: 5/24/2012

Real Estate Commissioner



By WAYNE S. BELL
Chief Counsel

1 DEPARTMENT OF REAL ESTATE
2 P. O. BOX 187007
3 SACRAMENTO, CA 95818-7007
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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

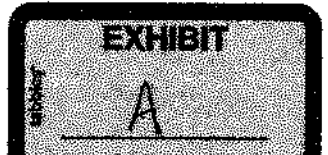
11 In the Matter of the Accusation of)
12 MATTHEW WAYNE STEWART,) NO. H-5482 SAC
13 DANCE HALL INVESTORS, INC., a)
14 California corporation, WAYNE THOMAS HALL,)
15 RIVERSIDE CORP, a California corporation,)
16 and RORY LEE HOELKER,)
17 Respondents.)

18 DECLARATION

19 My name is MATTHEW WAYNE STEWART and I am currently licensed as a
20 real estate salesperson and/or have license rights with respect to said license. I am represented in
21 this matter by Edward O. Lear, Attorney at Law.

22 In lieu of proceeding in this matter in accordance with the provisions of the
23 Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to
24 voluntarily surrender my real estate license(s) issued by the Department of Real Estate
25 ("Department"), pursuant to Business and Professions Code Section 10100.2.

26 I understand that by so voluntarily surrendering my license(s), I may be re-
27 licensed as a broker or as a salesperson only by petitioning for reinstatement pursuant to Section



1 11522 of the Government Code. I also understand that by so voluntarily surrendering my
2 license(s), I agree to the following:

3 1. The filing of this Declaration shall be deemed as my petition for
4 voluntary surrender.

5 2. Without admitting the allegations contained in the First Amended
6 Accusation filed herein in Case No. H-5482 SAC on July 7, 2011, it shall also be deemed to be
7 an understanding and agreement by me that I waive all rights I have to require the
8 Commissioner to prove the allegations contained in the Accusation filed in this matter at a
9 hearing held in accordance with the provisions of the Administrative Procedure Act
10 (Government Code Sections 11400 et seq.), and that I also waive other rights afforded to me in
11 connection with the hearing such as the right to discovery, the right to present evidence in
12 defense of the allegations in the Accusation and the right to cross-examine witnesses.

13 3. Without admitting the allegations contained in the First Amended
14 Accusation, I further agree that upon acceptance by the Commissioner, as evidenced by an
15 appropriate order, all affidavits and all relevant evidence obtained by the Department in this
16 matter prior to the Commissioner's acceptance, and all allegations contained in the First
17 Amended Accusation filed in the Department Case No. H-5482 SAC, may be considered by the
18 Department to be true and correct for the purpose of deciding whether to grant re-licensure or
19 reinstatement pursuant to Government Code Section 11522.

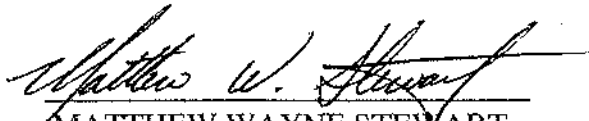
20 4. For purposes of expediency and economy, I freely and voluntarily
21 surrender all my licenses and license rights under the Real Estate Law.

22 5. This Declaration is submitted solely for purposes of concluding the
23 proceeding in Department of Real Estate Case No. H-5482 SAC and does not constitute an
24 admission as to any matter in any other proceeding.

25 6. **A copy of the Commissioner's Criteria of Rehabilitation is attached**
26 **hereto. If and when a petition application is made for reinstatement of a surrendered**
27 **license, the Real Estate Commissioner will consider as one of the criteria of rehabilitation,**

1 whether or not restitution has been made to any person who has suffered monetary losses
2 through "substantially related" acts or omissions of Respondent(s), whether or not such
3 persons are named in the Accusation filed in this case.

4 I declare under penalty of perjury under the laws of the State of California that
5 the above is true and correct and that this declaration was executed on April 25th,
6 2012, at Rocklin, California.

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8 
9 MATTHEW WAYNE STEWART

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