

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

FILED

JUN 21 2023

DEPT. OF REAL ESTATE

By 

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8 **BEFORE THE DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Application of)	No. H-05728 SD
)	
12 Isabel Crystal Melendez,)	<u>STIPULATION AND WAIVER</u>
)	
13 Respondent.)	Mortgage Loan Originator
)	License Endorsement
14)	

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16 It is hereby stipulated by and between, Isabel Crystal Melendez ("Respondent"), who is
17 representing herself, and the Complainant, acting by and through Diane Lee, Counsel for the
18 Department of Real Estate, as follows for the purpose of settling and disposing of the Statement
19 of Issues filed on March 28, 2023, in this matter:

20 Respondent acknowledges that Respondent has received and read the Statement of
21 Issues and Statement to Respondent filed by the Department of Real Estate in connection with
22 Respondent's application for a mortgage loan originator ("MLO") license endorsement.
23 Respondent understands that the Real Estate Commissioner ("Commissioner") may hold a
24 hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's
25 honesty and truthfulness and to prove other allegations therein, or that the Commissioner may in
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1 his discretion waive the hearing and grant Respondent a restricted individual MLO license
2 endorsement based upon this Stipulation and Waiver.

3 Respondent also understands that by filing the Statement of Issues in this matter the
4 Commissioner in shifting the burden to Respondent to make a satisfactory showing that
5 Respondent meets all the requirements for issuance of an individual MLO license endorsement.
6 Respondent further understands that by entering into this Stipulation and Waiver Respondent
7 will by stipulating that the Commissioner has found that Respondent has failed to make such a
8 showing, thereby justifying the denial of the issuance to Respondent of an individual MLO
9 license endorsement.

10 Respondent hereby admits that the allegations of the Statement of Issues filed against
11 Respondent are true and correct, and requests that the Commissioner in his discretion issue a
12 restricted individual MLO license endorsement to Respondent under the authority of California
13 Code of Regulations, Title 10, section 2945.4 and California Business and Professions Code
14 sections 10156.5 and 10166.051.

15 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving
16 Respondent's right to a hearing and the opportunity to present evidence at the hearing if this
17 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving
18 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted
19 individual MLO license endorsement if this Stipulation and Waiver is not accepted by the
20 Commissioner.

21 Respondent further understand that the following conditions, limitations, and restrictions
22 will attach to a restricted individual MLO license endorsement issued by the Department of
23 Real Estate pursuant hereto:

- 24 1. The individual MLO license endorsement shall not confer any property rights in the
25 privileges to be exercised including the right to renewal, and the Real Estate
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1 Commissioner may by appropriate order suspend the right to exercise any privileges
2 granted under this restricted individual MLO license endorsement in the event of:

- 3 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
4 bears a substantial relationship to Respondent's fitness or capacity to hold a real
5 estate license or an individual MLO license endorsement; or
6 b. The receipt of evidence that Respondent has violated provisions of the California
7 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate
8 Commissioner, or conditions attaching to this restricted individual MLO license
9 endorsement.

10 2. Respondent shall not be eligible to apply for the issuance of an unrestricted MLO
11 license endorsement nor the removal of any of the conditions, limitations, or
12 restrictions attaching to the restricted MLO license endorsement until two (2) years
13 have elapsed from the date of issuance of the restricted MLO license endorsement to
14 Respondent.


15 3. With the application for an individual MLO license endorsement or with the
16 application for transfer to a new employing broker, Respondent shall submit a
17 statement signed by the prospective employing broker wherein the employing broker
18 certifies the following:

- 19 a. That the broker has read the Statement of Issues and this Stipulation and Waiver
20 herein, which are the basis for the issuance of the restricted MLO license
21 endorsement; and
22 b. That the broker will carefully review all transaction documents prepared by the
23 restricted individual MLO license endorsement holder and otherwise exercise
24 close supervision over the individual MLO license endorsement holder's
25 performance of acts for which an MLO license endorsement is required.

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

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10 DATED: 05/25/2023

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Diane Lee, Counsel
Department of Real Estate
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13 Respondent has read this Stipulation and Waiver, and its terms are understood by
14 Respondent and are agreeable and acceptable to Respondent. Respondent understands that
15 Respondent is waiving rights given to Respondent by the California Administrative Procedure
16 Act (including, but not limited to, California Government Code sections 11504, 11506, 11508,
17 11509, and 11513), and Respondent willingly, intelligently, and voluntarily waives those rights,
18 including, but not limited to, the right to a hearing on a Statement of Issues at which
19 Respondent would have the right to cross-examine witnesses against Respondent and to present
20 evidence in defense and mitigation of the charges.

21 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
22 Diane Lee, Department of Real Estate, 320 West 4th St., Ste. 350, Los Angeles, CA 90013.

23 In the event of time constraints before an administrative hearing, Respondent can signify
24 acceptance and approval of the terms and conditions of this Stipulation and Waiver by e-mailing
25 a copy of the signature page, as actually signed by Respondent, to the Department of Real
26 Estate. Respondent agrees, acknowledges, and understands that by electronically sending to the
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1 Department of Real Estate a fax copy of her actual signature as it appears on the Stipulation and
2 Waiver, that receipt of the faxed copy by the Department of Real Estate shall be as binding on
3 Respondent as if the Department of Real Estate had received the original signed Stipulation and
4 Waiver.

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6 DATED: May 24, 2023


Isabel Crystal Melendez, Respondent

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8 I have read the Statement of Issues herein and the foregoing Stipulation and Waiver
9 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof
10 as to the honesty and truthfulness of Respondent need not be called and that it will not be
11 inimical to the public interest to issue a restricted mortgage loan originator license endorsement
12 to Respondent.

13 Therefore, IT IS HEREBY ORDERED that a restricted mortgage loan originator license
14 endorsement be issued to Respondent Isabel Crystal Melendez if Respondent has otherwise
15 fulfilled all of the statutory requirements for a mortgage loan originator license endorsement.
16 The restricted mortgage loan originator license endorsement shall be limited, conditioned, and
17 restricted as specified in the foregoing Stipulation and Waiver.

18 This Order is effective immediately.

19 IT IS SO ORDERED

6.15.23

20 DOUGLAS R. McCAULEY
21 REAL ESTATE COMMISSIONER
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