

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED

APR 08 2024

DEPT. OF REAL ESTATE

By _____

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of:
12 HEATHER NOONA CONNOR,
13 Respondent.

DRE Case No. H-05789-SD

STIPULATION AND WAIVER

14 It is hereby stipulated by and between HEATHER NOONA CONNOR ("Respondent") and
15 Respondent's attorney, Frank M. Buda, Esq., and the Complainant, acting by and through Laurence
16 Haveson, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of
17 settling and disposing of the Statement of Issues filed on December 14, 2023 in this matter:

18 Respondent acknowledges that Respondent has received and read the Statement of Issues and
19 the Statement to Respondent filed by the Department in connection with Respondent's application
20 for a real estate salesperson license. Respondent understands that the Real Estate Commissioner
21 ("Commissioner") may hold a hearing on this Statement of Issues for the purpose of requiring
22 further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that
23 she may in her discretion waive the hearing and grant Respondent a restricted real estate salesperson
24 license based upon this Stipulation and Waiver. Respondent also understands that by filing the
25 Statement of Issues in this matter the Commissioner is shifting the burden to Respondent to make a
26 satisfactory showing that Respondent meets all the requirements for issuance of a real estate
27 salesperson license. Respondent further understands that by entering into this Stipulation and
28 Waiver, Respondent will be stipulating that the Commissioner has found that Respondent has failed

1 to make such a showing, thereby justifying the denial of the issuance to Respondent of an
2 unrestricted real estate salesperson license.

3 Respondent hereby admits that the allegations of the Statement of Issues filed against
4 Respondent are true and correct and requests that the Commissioner in her discretion issue a
5 restricted real estate salesperson license to Respondent under the authority of Section 10156.5 of
6 the Business and Professions Code ("the Code").

7 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving
8 Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish
9 Respondent's rehabilitation in order to obtain an unrestricted real estate salesperson license if this
10 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving
11 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted
12 license if this Stipulation and Waiver is not accepted by the Commissioner.

13 Respondent agrees that by signing this Stipulation and Waiver, the conditions, limitations, and
14 restrictions imposed on Respondent's restricted license, identified below, may be removed only by
15 filing a Petition for Removal of Restrictions ("Petition") with the Commissioner, and that
16 Respondent's Petition must follow the procedures set forth in Government Code Section 11522.

17 Respondent further understands that the restricted license issued to Respondent shall be subject
18 to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions
19 and restrictions imposed under authority of Section 10156.6 of the Code:

20 1. The restricted license shall not confer any property right in the privileges to be
21 exercised including the right of renewal, and the Commissioner may by appropriate order suspend
22 the right to exercise any privileges granted under the restricted license in the event of:

23 a. Respondent's conviction (including a plea of nolo contendere) of a crime which
24 bears a substantial relationship to Respondent's fitness or capacity as a real estate
25 licensee; or

26 b. The receipt of evidence that Respondent has violated provisions of the California
27 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
28 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 one (1) year has 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. With the application for license, or with the application for transfer to a new employing broker, Respondent shall submit a statement signed by the prospective employing broker on a form approved by the Department wherein the employing broker shall certify as follows:

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

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

4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office Box 137000, Sacramento, CA 95813-7000. 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: 03/04/2024



Digitally signed by Laurence D.
Haveson
Date: 2024.03.04 10:01:26 -08'00'

Laurence D. Haveson
Counsel for Complainant

* * *

Respondent has read this Stipulation and Waiver, has discussed it with Respondent's counsel, 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 California

1 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and
2 11513 of the Government Code), and Respondent willingly, intelligently, and voluntarily waives
3 those rights, including the right of a hearing on the Statement of Issues at which Respondent would
4 have the right to cross-examine witnesses against Respondent and to present evidence in defense
5 and mitigation of the charges.

6 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation
7 and Waiver by causing it to be e-mailed with Respondent's digital signature to Laurence Haveson,
8 Real Estate Counsel at Laurence.Haveson@dre.ca.gov, or by sending a hard copy of the original
9 signed signature page of the Stipulation and Waiver herein to Laurence D. Haveson, Department of
10 Real Estate, Legal Section, 320 W. Fourth St., Suite 350, Los Angeles, CA 90013-1105. In the
11 event of time constraints before an administrative hearing, Respondent can signify acceptance and
12 approval of the terms and conditions of this Stipulation and Waiver by faxing or e-mailing a scanned
13 copy of the signature page, as actually signed by Respondent, to the Department counsel assigned
14 to this case. Respondent agrees, acknowledges, and understands that by electronically sending the
15 Stipulation and Waiver to the Department with Respondent's digital signature or a scan of
16 Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the
17 Stipulation and Waiver with Respondent's digital signature or a scan of her actual signature by the
18 Department shall be as binding on Respondent as if the Department had received the original signed
19 Stipulation and Waiver. By signing this Stipulation and Waiver, Respondent understands and agrees
20 that Respondent may not withdraw her agreement or seek to rescind the Stipulation and Waiver
21 prior to the time the Commissioner considers and acts upon it or prior to the effective date of the
22 Order.

23
24 03/04/2024

25 Dated

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27 HEATHER NOONA CONNOR, Respondent
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I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

03/04/2024

Dated

Frank M. Buda, Attorney for Respondent

* * *

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 Respondent.

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 4/2/2024

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER

By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner