

FILED

MAY 28 2024

DEPT. OF REAL ESTATE

By _____

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

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	DRE No. H-05800 SD
)	OAH No. 2024010393
SADE EUGENIE DEBORAH IRENE HENEGAN,)	
)	<u>STIPULATION AND</u>
Respondent.)	<u>WAIVER</u>

Respondent SADE EUGENIE DEBORAH IRENE HENEGAN, a.k.a. "Sade Eugenie Deborahirene Henegan," "Sade Eugenie Henegan," "Sade E. Henegan," and "Sade Henegan" ("Respondent"), acting by and through his attorney, Frank M. Buda, Esq. of Law Office of Frank M. Buda, does hereby affirm that Respondent has applied to the Department of Real Estate ("Department") for a real estate salesperson license, and that to the best of Respondent's knowledge, Respondent has satisfied all of the statutory requirements for the issuance of the license, including, but not limited to, the payment of the fee therefor.

Respondent acknowledges that Respondent has received and read the Statement of Issues and Statement to Respondent filed by the Department on or about December 28, 2023, in connection with Respondent's application for a real estate salesperson license. Respondent understands that the Commissioner may hold a hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Commissioner is shifting the burden to

1 Respondent to make a satisfactory showing that Respondent meets all the requirements for
2 issuance of a real estate salesperson license. Respondent further understands that by entering
3 into this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has
4 found that Respondent has failed to make such a showing, thereby justifying the denial of the
5 issuance to me of an unrestricted real estate salesperson license.

6 Respondent hereby admits that the allegations in the Statement of Issues filed
7 against Respondent are true and correct and request that the Commissioner in her discretion
8 issue a restricted real estate salesperson license to Respondent under the authority of California
9 Business and Professions Code section 10156.5.

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

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

22 Respondent further understands that the restricted license issued to Respondent
23 shall be subject to all the provisions of California Business and Professions Code section
24 10156.7 and to the following conditions, limitations, and restrictions imposed under authority of
25 California Business and Professions Code section 10156.6:

- 26 1. The restricted license shall not confer any property right in the privileges
27 to be exercised including the right of renewal, and the Real Estate

1 Commissioner may by appropriate order suspend the right to exercise any
2 privileges granted under the restricted license in the event of:

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


10 2. Respondent shall not be eligible to apply for the issuance of any
11 unrestricted real estate license nor the removal of any of the conditions,
12 limitations, or restrictions attaching to the restricted license until **two (2)**
13 **years** have elapsed from the date of issuance of the restricted license to
14 Respondent. Respondent shall not be eligible to apply for any
15 unrestricted licenses until all restrictions attaching to the license have
16 been removed.

17 3. With the application for license or with the application for transfer to a
18 new employing broker, Respondent shall submit a statement signed by
19 the prospective employing broker on a form approved by the Department
20 of Real Estate, such as the Restricted Salesperson Change Application
21 (RE 214A), wherein the employing broker shall certify as follows:

- 22 a. That broker has read the Stipulation and Waiver which is the basis
23 for the issuance of the restricted license; and
24 b. That broker will carefully review all transaction documents
25 prepared by the restricted licensee and otherwise exercise close
26 supervision over the licensee's performance of acts for which a
27 license is required.

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

10
11 DATED: 04/23/2024


Kathy Yi, Counsel
Department of Real Estate

13 * * *

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

22 Respondent agrees, acknowledges and understands that by signing this
23 Stipulation and Waiver, Respondent is bound by its terms as of the date of such signature and
24 that such agreement is not subject to rescission or amendment at a later date except by a
25 separate Decision and Order of the Commissioner.

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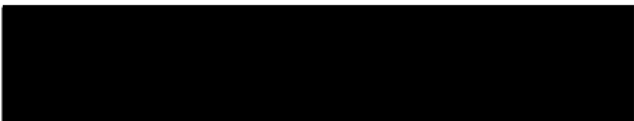
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Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed by Respondent, to the Department counsel assigned to this case. Respondent agrees, acknowledges and understands that by electronically sending the Department a scan of Respondent's actual signature as it appears on the Stipulation and Waiver that receipt of the scan by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation and Waiver. Alternatively, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by sending a hard copy of the original signed signature page(s) of the Stipulation herein to Kathy Yi, Legal Section, Department of Real Estate, 320 W. Fourth Street, Suite 350, Los Angeles, California, 90013.

DATED: 4/18/24


SADE EUGENIE DEBORAH IRENE HENEGAN
Respondent

DATED: 4-18-24


Frank M. Buda, Esq.
Counsel for Respondent
Approved as to Form

* * *

I have read 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.

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

6 This Order is effective immediately.

7 IT IS SO ORDERED 5/17/2024.

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9 CHIKA SUNQUIST
10 Real Estate Commissioner

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12 By: MARCUS L. McCARTHER
13 Chief Deputy Real Estate Commissioner
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