

FILED

AUG 27 2014

BUREAU OF REAL ESTATE

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BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

BURKLENE ABRAMYAN,

Respondent.

H-6160 SAC

NO. 413-0404-010

STIPULATION AND WAIVER

Business and Professions
Code Section 10100.4

BURKLENE ABRAMYAN ("Respondent") does hereby affirm that on March 6, 2013, she applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license and that to the best of her knowledge she satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefore.

FACTUAL BASIS

1.

On or about September 3, 1997, in the Superior Court of the State of California, County of Sacramento, Case Number 97F05065, Respondent was convicted of violating Section 11366.5 of the California Health and Safety Code (possession of marijuana for sale), a felony which bears a substantial relationship under Section 2910, Title 10, of the California Code of Regulations ("Regulations") to the qualifications, functions or duties of a real estate licensee.

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2.

On or about November 21, 1997, in the Superior Court of the State of California, County of Sacramento, Case Number 97F07210, Respondent was convicted of violating Section 459 of the California Penal Code (burglary), a felony which bears a substantial relationship under Section 2910, Title 10, of the Regulations to the qualifications, functions, or duties of a real estate licensee.

GROUND FOR DENIAL

Respondent's criminal convictions at Paragraphs 1 through 2, above, constitute grounds under Sections 480(a) and 10177(b) of the California Business and Professions Code ("Code") for the denial of Respondent's application for an unrestricted real estate license.

TERMS AND CONDITIONS

Respondent understands that the Real Estate Commissioner ("Commissioner") may hold a hearing regarding the matters discussed above for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that the Commissioner may waive the hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and Waiver. Respondent also understands that by entering into this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that Respondent has failed to make a showing that Respondent meets all the requirements for issuance of a real estate salesperson license thereby justifying the denial of the issuance to her of an unrestricted real estate salesperson license.

Respondent hereby admits the above Factual Bases are true and correct and requests that the Commissioner issue a restricted real estate salesperson license to Respondent under the authority of Sections 10100.4 and 10156.5 of the Code. Respondent understands that any such restricted license will be issued subject to the provisions of and limitations of Sections 10156.6 and 10156.7 of the Code.

Respondent is aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is accepted by the Commissioner, Respondent is waiving her right to a

1 hearing and the opportunity to present evidence at the hearing to establish her rehabilitation in order
2 to obtain an unrestricted real estate salesperson license. Respondent is not waiving her rights to a
3 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation
4 and Waiver is not accepted by the Commissioner.

5 Respondent understands that this Stipulation and Waiver, which was executed
6 pursuant to the authority under Section 10100.4 and 10156.5 of the Code, is considered discipline
7 by the Bureau.

8 Respondent further understand that the following conditions, limitations and
9 restrictions will attach to a restricted real estate license issued by the Bureau pursuant hereto:

10 1. The license shall not confer any property right in the privileges to be
11 exercised and the Commissioner may by appropriate order suspend the right to exercise any
12 privileges granted under this restricted license in the event of:

13 a. Respondent's conviction (including a plea of *nolo contendere*) of a
14 crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate
15 licensee; or,

16 b. The receipt of evidence that Respondent has violated provisions of
17 the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
18 conditions attaching to this restricted license.

19 2. Respondent shall not be eligible to apply for the issuance of an unrestricted
20 real estate license nor the removal of any of the conditions, limitations or restrictions attaching to
21 the restricted real estate license until three years have elapsed from the date of issuance of the
22 restricted real estate license to Respondent.

23 3. Respondent shall notify the Commissioner in writing within 72 hours of any
24 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
25 Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of Respondent's
26 arrest, the crime for which Respondent was arrested and the name and address of the arresting law
27 enforcement agency. Respondent's failure to timely file written notice shall constitute an

1 independent violation of the terms of the restricted license and shall be grounds for the suspension
2 or revocation of that license. With the application for license, or with the application for transfer to
3 a new employing broker, Respondent shall submit a statement signed by the prospective employing
4 broker on a form approved by the Bureau of Real Estate wherein the employing broker shall certify
5 as follows:

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

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

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

19 Respondent may signify acceptance and approval of the terms and conditions of this
20 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to
21 the Bureau at fax number (916) 263-3767. Respondent agrees, acknowledges and understands that
22 by electronically sending to the Bureau a fax copy of Respondent's actual signature as it appears on
23 the Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on
24 Respondent as if the Bureau had received the original signed Stipulation and Waiver.

25
26 07/07/14

27 Dated


BURKLINE ABRAMYAN, Respondent

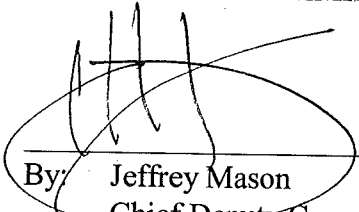
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2 I have read the foregoing Stipulation and Waiver signed by Respondent. I am
3 satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness
4 of Respondent need not be called and that it will not be inimical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

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

10 This Order is effective immediately.

11 IT IS SO ORDERED AUG 27 2014

12 REAL ESTATE COMMISSIONER

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15 By:  Jeffrey Mason
16 Chief Deputy Commissioner
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