FILED

SEP 10 2015

BUREAU OF REAL ESTATE

By S. Black

BEFORE THE

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of MOLLY SHARP BRADY, Respondent.	NO. H- 6278 SAC STIPULATION AND WAIVER

It is hereby stipulated by and between MOLLY SHARP BRADY, and the Complainant, acting by and through Richard K. Uno, counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on 7/09/15 in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Bureau of Real Estate in connection with Respondent's application for a real estate salesperson license. Respondent understands that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me 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 Real Estate Commissioner is shifting the burden to

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

Respondent hereby admits that the allegations of the Statement of Issues filed against Respondent are true and correct and request that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license to Respondent under the authority of Section 10156.5 of the Business and Professions Code.

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

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

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

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

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

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2. Respondent shall not be eligible to apply 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 two (2) years has elapsed from the date of issuance of the restricted license to Respondent.

3. 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 137007, Sacramento, CA 95813-7007. 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.

4. 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 Bureau of Real Estate wherein the employing broker shall certify as follows:

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

(b) That 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.

8/10/15
DATED

Richard K. Uno, Counsel III
Bureau of Real Estate

I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not

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limited to Section 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing to (916) 263-3767, or emailing to Richard.uno@dca.ca.gov, a copy of the Stipulation and Waiver, as actually signed by Respondent, to the Bureau. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation and Waiver.

7/31/15
Dated

Molly D. Brady
MOLLY SHARP BRADY,
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

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specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

DATED: SEPTEMBER 9, 2015

WAYNE S. BELL
REAL ESTATE COMMISSIONER

By: JEFFREY MASON
Chief Deputy Commissioner