

1 Bureau of Real Estate
2 P.O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8670

FILED

OCT 27 2015

BUREAU OF REAL ESTATE

By B. Nicholas

8 **BUREAU OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

11 *In the Matter of the Application of:*

12 JENNIFER LYNN RYCRAFT,
13
14 Respondent.

NO. H-6291 SAC

STIPULATION AND WAIVER

16 It is hereby stipulated by and between JENNIFER LYNN RYCRAFT ("Respondent"),
17 acting by and through J. Anne Rawlins, Counsel for Respondent, and the Complainant, acting by
18 and through Jason D. Lazark, Counsel for the Bureau of Real Estate ("Bureau"), as follows for the
19 purpose of settling and disposing of the Statement of Issues filed on July 29, 2015 in this matter:

20 Respondent acknowledges that Respondent has received and read the Statement of Issues
21 and the Statement to Respondent filed by the Bureau of Real Estate in connection with
22 Respondent's application for a real estate salesperson license. Respondent understands that the
23 Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of
24 requiring further proof of Respondent's honesty and truthfulness and to prove other allegations
25 therein, or that he may in his discretion waive the hearing and grant Respondent a restricted real
26 estate salesperson license based upon this Stipulation and Waiver. Respondent also understands
27 that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the

1 burden to Respondent to make a satisfactory showing that Respondent meets all the requirements
2 for 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 Real Estate Commissioner
4 has found that Respondent has failed to make such a showing, thereby justifying the denial of the
5 issuance to Respondent of an unrestricted real estate salesperson license.

6 Respondent hereby admits that the allegations of the Statement of Issues filed against
7 Respondent in Bureau Case No. H-6291 SAC are true and correct and requests that the Real Estate
8 Commissioner in his discretion issue a restricted real estate salesperson license to Respondent
9 under the authority of Section 10156.5 of the Business and Professions Code.

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

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

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

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

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

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

7 2. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by
8 sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office Box
9 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of Respondent's arrest, the
10 crime for which Respondent was arrested and the name and address of the arresting law
11 enforcement agency. Respondent's failure to timely file written notice shall constitute an
12 independent violation of the terms of the restricted license and shall be grounds for the suspension
13 or revocation of that license.

14 3. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate
15 license, nor the removal of any of the conditions, limitations, or restrictions attaching to the
16 restricted license, until two (2) years have elapsed from the date of issuance of the restricted license
17 to Respondent.

18 4. With the application for license, or with the application for transfer to a new employing
19 broker, Respondent shall submit a statement signed by the prospective employing broker on a form
20 approved by the Bureau of Real Estate wherein the employing broker shall certify as follows:

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

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

1
2 10/16/15
DATED


JASON D. LAZARK, Counsel
Bureau of Real Estate

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5 ***

6 I have read the Stipulation and Waiver and its terms are understood by me and are agreeable
7 and acceptable to me. I understand that I am waiving rights given to me by the California
8 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and
9 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights,
10 including the right of a hearing on the Statement of Issues at which I would have the right to cross-
11 examine witnesses against me and to present evidence in defense and mitigation of the charges.


12 Respondent can signify acceptance and approval of the terms and conditions of this
13 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to
14 the Bureau at fax number (916) 263-3767. Respondent agrees, acknowledges and understands that
15 by electronically sending to the Bureau a fax copy of her actual signature as it appears on the
16 Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on
17 Respondent as if the Bureau had received the original signed Stipulation and Waiver.

18
19 10/16/15
20 DATED


JENNIFER LYNN RYCRAFT, Respondent

21
22 *I have reviewed the Stipulation and Waiver as to form and content and have advised my*
23 *client accordingly.*

24
25 10/16/2015
26 DATED


J. ANNE RAWLINS
Attorney for Respondent,
JENNIFER LYNN RYCRAFT

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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 **OCTOBER 26, 2015**

REAL ESTATE COMMISSIONER



**By: JEFFREY MASON
Chief Deputy Commissioner**