1	Bureau of Real Estate
2	P. O. Box 137007 Sacramento, CA 95813-7007 FILED
3	Telephone: (916) 263-8672 NOV 2 1 2017
4	BUREAU OF REAL ESTATE
5	By B.Micholas
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8	BUREAU OF REAL ESTATE
9	STATE OF CALIFORNIA
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12	In the Matter of the Application of) H-6599 SAC
13	JULIE GIA HE, (Per Business and Professions Code § 10100.4)
14	Respondent.
15	JULIE GIA HE, ("Respondent") does hereby affirm that on August 12, 2016, she
16	applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license and that to the
17	best of her knowledge she satisfied all of the statutory requirements for the issuance of the license,
18	including the payment of the fee therefore.
19	FACTUAL BASIS
20	On or about February 03, 1998, in the Superior Court of the State of California, County of
21	San Joaquin, Case Number SF072807A, Respondent was convicted of violating Penal Code section
22	487(b)(3)(grand theft) a crime that bears a substantial relationship under Section 2910, Title 10, of
23	the California Code of Regulations ("Regulations"), to the qualifications, functions, or duties of a
24	real estate licensee. This conviction was dismissed pursuant to section 1203.4 of the Penal Code.
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1 **GROUNDS FOR DENIAL** 2 Respondent's criminal conviction constitutes grounds under Sections 480(a) and 3 10177(b) of the Code for the denial of Respondent's application for an unrestricted real estate 4 license. 5 **TERMS AND CONDITIONS** 6 Respondent understands that the Real Estate Commissioner ("Commissioner") may 7 hold a hearing regarding the matters discussed above for the purpose of requiring further proof of 8 Respondent's honesty and truthfulness and to prove other allegations therein, or that the 9 Commissioner may waive the hearing and grant Respondent a restricted real estate salesperson 10 license based upon this Stipulation and Waiver. Respondent also understands that by entering into 11 this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that 12 Respondent has failed to make a showing that Respondent meets all the requirements for issuance 13 of a real estate salesperson license thereby justifying the denial of the issuance to her of an 14 unrestricted real estate salesperson license. .15 Respondent hereby admits the above Factual Basis is true and correct and requests 16 that the Commissioner issue a restricted real estate salesperson license to Respondent under the 17 authority of section 10100.4 and 10156.5 of the Code. I understand that any such restricted license 18 will be issued subject to the provisions of and limitations of sections 10156.6 and 10156.7 of the 19 Code. 20 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 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order to obtain an unrestricted real estate salesperson license. Respondent is not waiving his 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 agrees that by signing this Stipulation and Waiver, the conditions,

27 limitations, and restrictions imposed on Respondent's restricted license, identified below, may be

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1	removed only by filing a Petition for Removal of Restrictions ("petition") with the Commissioner,
2	and that Respondent's petition must follow the procedures set forth in Government Code Section
3	11522. Respondent understands that this Stipulation and Waiver, which was executed pursuant to
4	the authority under section 10100.4 and 10156.5 of the Code, is considered discipline by the
5	Bureau.
6	Respondent further understands that the restricted license issued to Respondent shall
7	be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,
8	conditions, and restrictions imposed under the authority of Section 10156.6 of the Code:
9	1. The license shall not confer any property right in the privileges to be
10	exercised and the Commissioner may by appropriate order suspend the right to exercise any
11	privileges granted under this restricted license in the event of:
12	a. Respondent's conviction (including a plea of nolo contendere) of a
13	crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate
14	licensee; or
15	b. The receipt of evidence that Respondent has violated provisions of
16	the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
17	conditions attaching to this restricted license.
18	2. Respondent shall not be eligible to petition for the issuance of an unrestricted
19	real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to
20	the restricted real estate license until two (2) years have elapsed from the date of issuance of the
21	restricted real estate license to Respondent. Respondent shall not be eligible to apply for any
22	unrestricted licenses until all restrictions attaching to the license have been removed.
23	3. With the application for license, or with the application for transfer to a new
24	employing broker, Respondent shall submit a statement signed by the prospective employing broker
25	on a form approved by the Bureau wherein the employing broker shall certify as follows:
26 27	a. That broker has read the Stipulation and Waiver which is the basis for the
21	issuance of the restricted license; and

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

4 <u>4. Respondent shall notify the Commissioner in writing within 72 hours of any</u>
arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
Box 187000, Sacramento, CA 95818-7000. 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.

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

10/16/17

Dated

JULIE GIA HE, Respondent

John Barron, Counsel

Bureau of Real Estate

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.

1	Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson
2	license be issued to Respondent JULIE GIA HE, if Respondent has otherwise fulfilled all of the
3	statutory requirements for licensure. The restricted license shall be limited, conditioned, and
4	restricted as specified in the foregoing Stipulation and Waiver.
5	This Order is effective immediately.
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7	IT IS SO ORDERED 11/14/17
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9	WAYNE S. BELL REAL ESTATE COMMISSIONER
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12 13	By: DANIEL J. SANDRI
14	Chief Deputy Commissioner
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