

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

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FILED

NOV 21 2017

BUREAU OF REAL ESTATE

By B. Nicholas

8 **BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 * * *

11 *In the Matter of the Application of*

12 JULIE GIA HE,

13 Respondent.

H-6599 SAC

STIPULATION AND WAIVER

(Per Business and Professions Code § 10100.4)

14
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 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 a. That broker has read the Stipulation and Waiver which is the basis for the
27 issuance of the restricted license; and

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

4 4. Respondent shall notify the Commissioner in writing within 72 hours of any
5 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
6 Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's
7 arrest, the crime for which Respondent was arrested and the name and address of the arresting law
8 enforcement agency. Respondent's failure to timely file written notice shall constitute an
9 independent violation of the terms of the restricted license and shall be grounds for the suspension
10 or revocation of that license.

11 10/19/17
12 Dated


13 John Barron, Counsel
14 Bureau of Real Estate

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

22 10/16/17
23 Dated


24 JULIE GIA HE, Respondent

25 I have read the foregoing Stipulation and Waiver signed by Respondent. I am
26 satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness
27 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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8 IT IS SO ORDERED 11/14/17.

9 WAYNE S. BELL
10 REAL ESTATE COMMISSIONER

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13 By: DANIEL J. SANDRI
14 Chief Deputy Commissioner