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FILED
JAN 28 1992
DEPARTMENT OF REAL ESTATE

By *Lynda Montiel*
Lynda Montiel

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Application of

ROBERT WAYNE WILLROY,

Respondent.

No. H- 6611 SF

STIPULATION AND WAIVER

I, ROBERT WAYNE WILLROY, respondent herein, do hereby affirm that I

have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on December 31, 1991, in connection with my application for a real estate salesperson license. I understand 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. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance
2 to me of an unrestricted real estate salesperson license.

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

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

11 I further understand that the following conditions, limitations and restrictions will attach to a restricted
12 license issued by the Department of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised including the right
14 of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to
15 exercise any privileges granted under this restricted license in the event of:
 - 16 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
17 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 18 b. The receipt of evidence that respondent has violated provisions of the California Real Estate
19 Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions
20 attaching to this restricted license.
- 21 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor
22 the removal of any of the conditions, limitations or restrictions attaching to the restricted license
23 until one year has elapsed from the date of issuance of the restricted license to respondent.
- 24 3. With the application for license, or with the application for transfer to a new employing broker,
25 respondent shall submit a statement signed by the prospective employing broker on a form
26 approved by the Department of Real Estate wherein the employing broker shall certify as follows:
 - 27 a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted

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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.

DATED this 2nd day of January, 1992.

Robert w. Willroy
 Respondent
 ROBERT WAYNE WILLROY

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 ROBERT WAYNE WILLROY 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.

DATED this 24TH day of January, 1992

CLARK WALLACE
 Real Estate Commissioner
Clark Wallace

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III

On or about September 19, 1989, Respondent was convicted before a General Court-Martial of the U.S. Army, at Ft. Benning, Georgia, of larceny or stealing of items of military property of the United States, a crime involving moral turpitude and which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

IV

The crime of which Respondent was convicted, and the acts done by Respondent as alleged above constitutes cause for denial of Respondent's application for a real estate license under Section 480(a)(1) and/or (2) of the California Business and Professions Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to respondent, and for such other and further relief as may be proper in the premises.

Edward V. Chio

EDWARD V. CHIOLO
Deputy Real Estate Commissioner

Dated at San Francisco, California,
this 23rd day of OCTOBER, 1991.