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FILED

MAY 07 2019

DEPARTMENT OF REAL ESTATE
By B. Nicholas

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

PATRICIA MARIE CONWAY,

Respondent.

No. H-6803 SAC

STIPULATION AND
AGREEMENT

It is hereby stipulated by and between PATRICIA MARIE CONWAY ("Respondent") and her attorney, Derek Soriano, and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate (Department), as follows for the purpose of settling and disposing of the Accusation filed on July 6, 2018, in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement.

2. Respondent has received, read, and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department in this proceeding.

I

The acts and/or omissions of Respondent as described in the Accusation violate Sections 490, 10177(b), 10186.2, and 10177(d) of the Business and Professions Code (Code).

ORDER

All licenses and licensing rights of Respondent PATRICIA MARIE CONWAY under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within 90 days from the effective date of this Decision and Order. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Commissioner on evidence satisfactory to the Commissioner 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 the restricted license.

3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for removal of any of the conditions, limitations or restrictions of a restricted license until three (3) years have elapsed from the effective date of this Decision and Order. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.

1 4. Respondent shall submit with any application for license under an
2 employing broker, or any application for transfer to a new employing broker, a statement signed
3 by the prospective employing real estate broker on a form approved by the Department which
4 shall certify:

5 (a) That the employing broker has read the Decision and Order of the
6 Commissioner which granted the right to a restricted license; and

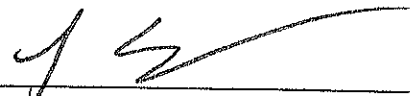
7 (b) That the employing broker will exercise close supervision over the
8 performance by the restricted licensee relating to activities for which a real
9 estate license is required.

10 5. Respondent shall, within nine (9) months from the effective date of this
11 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
12 since the most recent issuance of an original or renewal real estate license, taken and successfully
13 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
14 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
15 Respondent's real estate license shall automatically be suspended until Respondent presents
16 evidence satisfactory to the Commissioner of having taken and successfully completed the
17 continuing education requirement.

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

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4-April-19
DATED


TRULY SUGHRUE, Counsel
DEPARTMENT OF REAL ESTATE

I have read the Stipulation and Agreement, 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 APA (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

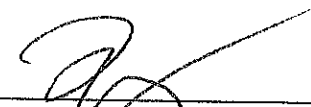
Respondent and Respondent's attorney further agree to send the original signed Stipulation and Agreement by mail to the following address no later than one (1) week from the date the Stipulation and Agreement is signed by Respondent and Respondent's attorney:
Department of Real Estate, Legal Section, P.O. Box 137007, Sacramento, California 95813-7007. Respondent and Respondent's attorney understand and agree that if they fail to return the original signed Stipulation and Agreement by the due date, Complainant retains the right to set this matter for hearing.

3/27/19
DATED


PATRICIA MARIE CONWAY
Respondent

I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

3/27/19
DATED


DEREK SORIANO
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on
MAY 28 2019

IT IS SO ORDERED May 3, 2019

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER

Daniel J. Sandri