

1 Department of Real Estate  
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**FILED**

JUN 17 2020

DEPARTMENT OF REAL ESTATE  
By B. Nicholas

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

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11 *In the Matter of the Application of*

12 LONNIE PATRICK TERRELL,

13 Respondent.

H-6942 SAC

14 **STIPULATION AND WAIVER**  
(Per Business and Professions Code § 10100.4)

15 LONNIE PATRICK TERRELL, (“Respondent”) does hereby affirm that on  
16 March 20, 2019, he applied to the Department of Real Estate (“Department”) for a real estate  
17 salesperson license and that to the best of his knowledge he satisfied all of the statutory  
18 requirements for the issuance of the license, including the payment of the fee therefore.

19 FACTUAL BASIS

20 On or about August 27, 2013, in the United States District Court, Eastern District  
21 of California, Case No. 2:10CR00477-01, Respondent was convicted of violating Section  
22 841(a)(1) (manufacture of marijuana plants), Title 10, of the United States Code, a felony.

23 On or about September 14, 2009, in the Superior Court of the State of California,  
24 County of San Joaquin, Case No. TM13125A, Respondent was convicted of violating Section  
25 23103 (reckless driving) of the California Vehicle Code, a misdemeanor.

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1 right to a hearing and to further proceedings to obtain a restricted or unrestricted license if this  
2 Stipulation and Waiver is not accepted by the Commissioner.

3           Respondent agrees that by signing this Stipulation and Waiver, the conditions,  
4 limitations, and restrictions imposed on Respondent's restricted license, identified below, may be  
5 removed only by filing a Petition for Removal of Restrictions ("petition") with the  
6 Commissioner, and that Respondent's petition must follow the procedures set forth in  
7 Government Code Section 11522. Respondent understands that this Stipulation and Waiver,  
8 which was executed pursuant to the authority under section 10100.4 and 10156.5 of the Code, is  
9 considered discipline by the Department.

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

14           1.       The license shall not confer any property right in the privileges to be  
15 exercised and the Commissioner may by appropriate order suspend the right to exercise any  
16 privileges granted under this restricted license in the event of:

17                   a.       Respondent's conviction (including a plea of nolo contendere) of a  
18 crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate  
19 licensee; or

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

23           2.       Respondent shall not be eligible to petition for the issuance of an  
24 unrestricted real estate license nor the removal of any of the conditions, limitations, or  
25 restrictions attaching to the restricted real estate license until four (4) years have elapsed from the  
26 date of issuance of the restricted real estate license to Respondent. Respondent shall not be  
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1 eligible to apply for any unrestricted licenses until all restrictions attaching to the license have  
2 been removed.

3           3.       With the application for license, or with the application for transfer to a  
4 new employing broker, Respondent shall submit a statement signed by the prospective employing  
5 broker on a form approved by the Department wherein the employing broker shall certify as  
6 follows:

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

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

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

19  
20 5/7/20  
21 Dated

21 Kyle Jones  
22 Kyle Jones, Counsel  
23 Department of Real Estate

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25           Respondent has read the Stipulation and Waiver and its terms are understood by  
26 Respondent and agreeable and acceptable to Respondent. Respondent understands that  
27 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,

1 but not limited to, the right to a hearing on a Statement of Issues at which he would have the right  
2 to cross-examine witnesses against Respondent and to present evidence in defense and mitigation  
3 of the charges.

4 Respondent can signify acceptance and approval of the terms and conditions of  
5 this Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed  
6 by Respondent, to the Department counsel assigned to this case. Respondent agrees,  
7 acknowledges and understands that by electronically sending the Department a scan of  
8 Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the scan  
9 by the Department shall be binding on Respondent as if the Department had received the original  
10 signed Stipulation and Waiver.

11 5/7/2020  
12 Dated

  
13 LONNIE PATRICK TERRELL, Respondent

14 I have read the foregoing Stipulation and Waiver signed by Respondent. I am  
15 satisfied that the hearing for the purpose of requiring further proof as to the honesty and  
16 truthfulness of Respondent need not be called and that it will not be inimical to the public interest  
17 to issue a restricted real estate salesperson license to Respondent.

18 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson  
19 license be issued to Respondent LONNIE PATRICK TERRELL, if Respondent has otherwise  
20 fulfilled all of the statutory requirements for licensure. The restricted license shall be limited,  
21 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

22 This Order is effective immediately.

23 IT IS SO ORDERED 6.11.20.

24 DOUGLAS R. McCAULEY  
25 REAL ESTATE COMMISSIONER

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