

1 Department of Real Estate
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FILED

NOV 04 2022

DEPARTMENT OF REAL ESTATE
By B. Nicholas

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

10 *In the Matter of the Application of*

11 BAILEY CHRISTINE HOOTEN,

12 Respondent.

H-7178 SAC

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

14 BAILEY CHRISTINE HOOTEN (Respondent), does hereby affirm that on May 12,
15 2020, Respondent applied to the Department of Real Estate (Department) for a real estate
16 salesperson license and that to the best of Respondent's knowledge Respondent satisfied all of the
17 statutory requirements for the issuance of the license, including the payment of the fee therefore.

18 FACTUAL BASIS

19 On or about July 13, 2020, in El Dorado County Superior Court, case S19CRF0172,
20 Respondent was convicted of Section 273.5(a) of the Penal Code (inflict corporal injury on
21 spouse/cohabitant), a crime which bears a substantial relationship under Section 2910, Chapter 6,
22 Title 10, California Code of Regulations (Regulations) to the qualifications, functions or duties of a
23 real estate licensee.

24 GROUND FOR DENIAL

25 Respondent's criminal conviction constitutes grounds under Sections 480(a) and
26 10177(b), of the Code for the denial of Respondent's application for an unrestricted real estate
27 license.

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1 the authority under section 10100.4 and 10156.5 of the Code, is considered discipline by the
2 Department.

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

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

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

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

15 2. Respondent shall not be eligible to petition for the issuance of an unrestricted
16 real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to
17 the restricted real estate license until two (2) years have elapsed from the date of issuance of the
18 restricted real estate license to Respondent. Respondent shall not be eligible to apply for any
19 unrestricted licenses until all restrictions attaching to the license have been removed.

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

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

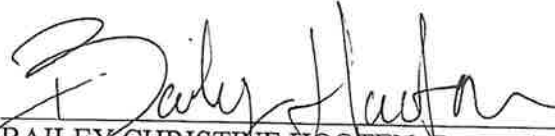
4 4. Respondent shall notify the Commissioner in writing within 72 hours of any
5 arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post
6 Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of
7 Respondent's arrest, the crime for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

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

19 Respondent can signify acceptance and approval of the terms and conditions of this
20 Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed by
21 Respondent, to the Department counsel Truly Sughrue. Respondent agrees, acknowledges and
22 understands that by electronically sending the Department a scan of Respondent's actual signature
23 as it appears on the Stipulation and Waiver, that receipt of the scan by the Department shall be
24 binding on Respondent as if the Department had received the original signed Stipulation and
25 Waiver. Respondent shall also send a hard copy of the original signed Stipulation and Waiver to
26 Truly Sughrue, Department of Real Estate, P.O. Box 137007 Sacramento, CA 95813-7007.
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10/6/2022

Dated


BAILEY CHRISTINE HOOTEN, Respondent

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.

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent BAILEY CHRISTINE HOOTEN 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.

IT IS SO ORDERED 10.24.22

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER



