

1 Department of Real Estate
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FILED
DEC 26 2024
DEPARTMENT OF REAL ESTATE
By J. Taggart

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

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12 *In the Matter of the Application of*

13 YOGI SANWAL,

14 Respondent.

H-7348 SAC

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

15 YOGI SANWAL, ("Respondent") does hereby affirm that on May 11, 2023, .
16 Respondent applied to the Department of Real Estate ("Department") for a real estate
17 salesperson license and that to the best of Respondent's knowledge Respondent satisfied all of
18 the statutory requirements for the issuance of the license, including the payment of the fee.

19 **FACTUAL BASIS**

20 On or about May 15, 2013, in the Superior Court of the State of California,
21 County of El Dorado, Case No. P12CRF0623, Respondent was convicted of violating Section
22 211 (robbery) of the California Penal Code, a felony.

23 On or about June 8, 2012, in the Superior Court of California, County of
24 Sacramento, Case No. 13F00085, Respondent was convicted of violating Section 476 (forgery)
25 of the California Penal Code, a felony.

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GROUND FOR DENIAL

Respondent's criminal convictions constitute grounds under Sections 480 and 10177(b) of the Business and Professions Code ("Code") for the denial of Respondent's application for an unrestricted real estate license.

TERMS AND CONDITIONS

Respondent understands that the Real Estate Commissioner ("Commissioner") may hold a hearing regarding the matters discussed above for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that the Commissioner may waive the hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and Waiver. Respondent also understands that by entering into this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that Respondent has failed to make a showing that Respondent meets all the requirements for issuance of a real estate salesperson license thereby justifying the denial of the issuance to Respondent of an unrestricted real estate salesperson license.

Respondent hereby admits the above Factual Basis is true and correct and requests that the Commissioner issue a restricted real estate salesperson license to Respondent under the authority of section 10100.4 and 10156.5 of the Code. Respondent understands that any such restricted license will be issued subject to the provisions of and limitations of sections 10156.6 and 10156.7 of the Code.

Respondent is aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is accepted by the Commissioner, Respondent is waiving Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish Respondent's rehabilitation in order to obtain an unrestricted real estate salesperson license. Respondent is not waiving Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

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

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

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

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

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

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

26 3. With the application for license, or with the application for transfer to a new
27 employing broker, Respondent shall submit a statement signed by the prospective employing

1 broker on a form approved by the Department wherein the employing broker shall certify as
2 follows:

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

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

8 4. Respondent shall notify the Commissioner in writing within 72 hours of
9 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, 651
10 Bannon Street, Suite 504, Sacramento, CA 95811. The letter shall set forth the date of
11 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
12 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
13 constitute an independent violation of the terms of the restricted license and shall be grounds for
14 the suspension or revocation of that license.

15
16 Dec 4, 2024

17 Dated

Jamie M. Yust

JAMIE YUST, Attorney
Department of Real Estate

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19 Respondent has read the Stipulation and Waiver and its terms are understood by
20 Respondent and agreeable and acceptable to Respondent. Respondent understands that
21 Respondent is waiving rights given to Respondent by the California Administrative Procedure
22 Act (including, but not limited to, California Government Code sections 11504, 11506, 11508,
23 11509, and 11513), and willingly, intelligently, and voluntarily waives those rights, including,
24 but not limited to, the right to a hearing on a Statement of Issues at which Respondent would
25 have the right to cross-examine witnesses against Respondent and to present evidence in defense
26 and mitigation of the charges.

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

Nov 22, 2024

Dated


Yogi Sanwal (Nov 22, 2024 05:46 CST)

YOGI SANWAL, 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 YOGI SANWAL, 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 12/23/2024

CHIKA SUNQUIST
Real Estate Commissioner


By Marcus L. McCarther
Chief Deputy Real Estate Commissioner