

FILED  
JUL 19 2007

DEPARTMENT OF REAL ESTATE

By Jean Alvarado

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of ) No. H-7714 SF  
BRUCE STANLY SILVERMAN, )  
Respondent. )

ORDER GRANTING UNRESTRICTED LICENSE

On June 25, 1999, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on July 19, 1999, and Respondent has operated as a restricted licensee since that time.

On February 22, 2007, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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1 I have considered Respondent's Petition and the  
2 evidence submitted in support thereof including Respondent's  
3 record as a restricted licensee. Respondent has demonstrated to  
4 my satisfaction that Respondent meets the requirements of law for  
5 the issuance to Respondent of an unrestricted real estate  
6 salesperson license and that it would not be against the public  
7 interest to issue said license to Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's  
9 Petition for removal of restrictions is granted and that a real  
10 estate salesperson license be issued to Respondent if, within  
11 nine (9) months from the date of this order, Respondent shall:

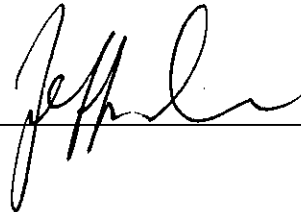
12 (a) Submit a completed application and pay the  
13 appropriate fee for a real estate salesperson license, and

14 (b) Submit evidence of having taken and successfully  
15 completed the continuing education requirements of Article 2.5 of  
16 Chapter 3 of the Real Estate Law for renewal of a real estate  
17 license.

18 This Order shall become effective immediately.

19 IT IS SO ORDERED 7-9, 2007.

20 JEFF DAVI  
21 Real Estate Commissioner

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FILED

JUL 14 1999

DEPARTMENT OF REAL ESTATE

By Jean A. A. A.

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Application of

BRUCE STANLY SILVERMAN

Respondent.

No. H-7714 SF

**STIPULATION AND WAIVER**

I, BRUCE STANLY SILVERMAN, 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 June 4, 1999, 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

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 6<sup>th</sup> day of June, 19 99.

Bruce  
Respondent

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 BRUCE STANLY SILVERMAN 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 25<sup>th</sup> day of June, 19 99.

Real Estate Commissioner

John R. Liberator

1 DAVID B. SEALS, Counsel (SBN 69378)  
2 Department of Real Estate  
3 P. O. Box 187000  
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0792 (Direct)

FILED  
JUN 04 1999

DEPARTMENT OF REAL ESTATE

By Shelly Elg

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )

No. H- 7714SF

12 BRUCE STANLY SILVERMAN, )

STATEMENT OF ISSUES

13 Respondent. )

14  
15 The Complainant, Les R. Bettencourt, a Deputy Real  
16 Estate Commissioner of the State of California, for Statement of  
17 Issues against BRUCE STANLY SILVERMAN (hereinafter "Respondent")  
18 alleges as follows:

19 I

20 Respondent made application to the Department of Real  
21 Estate of the State of California for a real estate salesperson  
22 license on or about January 26, 1999.

23 II

24 Complainant, Les R. Bettencourt, a Deputy Real Estate  
25 Commissioner of the State of California, makes this Statement of  
26 Issues in his official capacity.

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III

On or about December 18, 1992, in the United States District Court, Northern District of California, Respondent was convicted of violation of Title 26, U.S.C., Section 7206(1) (False Tax Return), a felony and a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations (herein "the Regulations"), to the qualifications, functions or duties of a real estate licensee.

IV

The crime of which Respondent was convicted, as alleged in Paragraph III, above, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) 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 under other provisions of law.

  
LES R. BETTENCOURT  
Deputy Real Estate Commissioner

Dated at Oakland, California,  
this 6th day of May, 1999.