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FILED
OCT 12 2006

DEPARTMENT OF REAL ESTATE

By Jean Arant

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-8416 SF
ERIC PAUL MYRDAL,)
)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On June 17, 2003, a Decision was issued herein revoking the real estate salesperson license of Respondent effective October 20, 1998, 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 28, 2003. Respondent has operated as a restricted licensee since that time.

On August 24, 2005, Respondent petitioned for reinstatement of said real estate salesperson license, and the Attorney General of the State of California has been given notice of the filing of said petition.

///

1 I have considered the petition of Respondent and the
2 evidence and arguments in support thereof. Respondent has
3 demonstrated to my satisfaction that Respondent meets the
4 requirements of law for the issuance to Respondent of an
5 unrestricted real estate salesperson license and that it would
6 not be against the public interest to issue said license to
7 Respondent.

8 NOW, THEREFORE, IT IS ORDERED that Respondent's
9 petition for reinstatement is granted and that a real estate
10 salesperson license be issued to Respondent if Respondent
11 satisfies the following conditions within nine (9) months from
12 the date of this Order:

13 1. Submittal of a completed application and payment of
14 the fee for a real estate salesperson license.

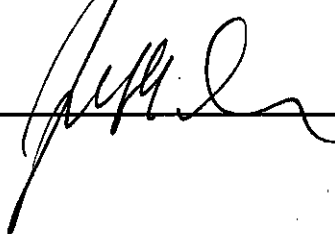
15 2. Submittal of evidence of having, since the most
16 recent issuance of an original or renewal real estate license,
17 taken and successfully completed the continuing education
18 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
19 for renewal of a real estate license.

20 This Order shall be effective immediately.

21 DATED: _____

10-5-02

22 JEFF DAVI
23 Real Estate Commissioner

24 
25 _____
26
27

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
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5 Telephone: (916) 227-0789
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FILED
JUL - 8 2003

DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ERIC PAUL MYRDAL,) NO. H-8416 SF
13 Respondent.) STIPULATION AND AGREEMENT
14)

15 It is hereby stipulated by and between ERIC PAUL MYRDAL
16 (hereinafter "Respondent") and his attorney, Rose Pothier, and
17 the Complainant, acting by and through Larry A. Alamao, Counsel
18 for the Department of Real Estate, as follows for the purpose of
19 settling and disposing of the Accusation filed on May 9, 2003 in
20 this matter:

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

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

5 3. Respondent filed a Notice of Defense pursuant to
6 Section 11505 of the Government Code for the purpose of
7 requesting a hearing on the allegations in the Accusation.
8 Respondent hereby freely and voluntarily withdraws said Notice of
9 Defense. Respondent acknowledges that he will thereby waive his
10 right to require the Commissioner to prove the allegations in the
11 Accusation at a contested hearing held in accordance with the
12 provisions of the APA and that he will waive other rights
13 afforded to him in connection with the hearing such as the right
14 to present evidence in defense of the allegations in the
15 Accusation and the right to cross-examine witnesses.

16 4. Respondent, pursuant to the limitations set forth
17 below, hereby admits that the factual allegations in Paragraphs I
18 through IV of the Accusation filed in this proceeding are true
19 and correct and the Real Estate Commissioner shall not be
20 required to provide further evidence to prove such allegations.

21 5. It is understood by the parties that the Real
22 Estate Commissioner may adopt the Stipulation and Agreement as
23 her decision in this matter thereby imposing the penalty and
24 sanctions on Respondent's real estate license and license rights
25 as set forth in the below "Order". In the event that the
26 Commissioner in her discretion does not adopt the Stipulation and
27 Agreement, it shall be void and of no effect, and Respondent

1 shall retain the right to a hearing and proceeding on the
2 Accusation under all the provisions of the APA and shall not be
3 bound by any admission or waiver made herein.

4 6. The Order or any subsequent Order of the Real
5 Estate Commissioner made pursuant to this Stipulation and
6 Agreement shall not constitute an estoppel, merger, or bar to any
7 further administrative or civil proceedings by the Department
8 of Real Estate with respect to any matters which were not
9 specifically alleged to be causes for accusation in this
10 proceeding as admitted or withdrawn.

11 DETERMINATION OF ISSUES

12 By reason of the foregoing stipulations, admissions and
13 waivers, and solely for the purpose of settlement of the pending
14 Accusation without hearing, it is stipulated and agreed that the
15 following Determination of Issues shall be made:

16 I

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

20 ORDER

21 All licenses and licensing rights of Respondent ERIC
22 PAUL MYRDAL under the Real Estate Law are revoked; provided,
23 however, a restricted real estate salesperson license shall be
24 issued to Respondent pursuant to Section 10156.5 of the Business
25 and Professions Code if Respondent makes application therefor and
26 pays to the Department of Real Estate the appropriate fee for the
27 restricted license within 90 days from the effective date of this

1 Decision. The restricted license issued to Respondent shall be
2 subject to all of the provisions of Section 10156.7 of the
3 Business and Professions Code and to the following limitations,
4 conditions, and restrictions imposed under authority of Section
5 10156.6 of that Code:

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

11 2. The restricted license issued to Respondent may be
12 suspended prior to hearing by Order of the Real Estate
13 Commissioner on evidence satisfactory to the Commissioner that
14 Respondent has violated provisions of the California Real
15 Estate Law, the Subdivided Lands Law, Regulations of the Real
16 Estate Commissioner or conditions attaching to the restricted
17 license.

18 3. Respondent shall not be eligible to apply for the
19 issuance of an unrestricted real estate license nor for removal
20 of any of the conditions, limitations, or restrictions of a
21 restricted license until two (2) years have elapsed from the
22 effective date of this Decision.

23 4. Respondent shall submit with any application for
24 license under an employing broker, or any application for
25 transfer to a new employing broker, a statement signed by the
26 prospective employing real estate broker on a form approved by
27 the Department of Real Estate which shall certify:

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

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

6/9/03

DATED

Larry Alamao
LARRY A. ALAMAO, 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 California Administrative Procedure Act (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.

6.4.03
DATED

Eric Paul Myrdal
ERIC PAUL MYRDAL
Respondent

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

3
4 June 5, 2003
5 DATED

6
7 
8 ROSE POTHIER
9 Attorney for Respondent

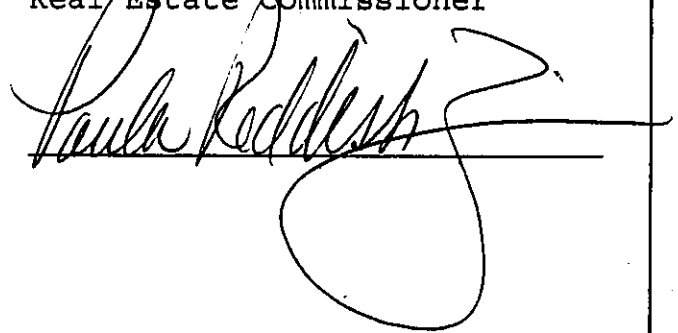
10 * * *

11 The foregoing Stipulation and Agreement is hereby
12 adopted by the Real Estate Commissioner as her Decision and
13 Order and shall become effective at 12 o'clock noon on

14 July 28, 2003.

15 IT IS SO ORDERED June 17, 2003.

16 PAULA REDDISH ZINNEMANN
17 Real Estate Commissioner

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1 LARRY A. ALAMAO, Counsel
State Bar No. 47379
2 Department of Real Estate
P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
MAY - 9 2003

DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ERIC PAUL MYRDAL,) NO. H-8416 SF
13 Respondent.) ACCUSATION
14)

15 The Complainant, CHARLES W. KOENIG, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Accusation against ERIC PAUL MYRDAL (hereinafter referred to as
18 Respondent), is informed and alleges as follows:

19 I

20 The Complainant, CHARLES W. KOENIG, a Deputy Real
21 Estate Commissioner of the State of California, makes this
22 Accusation in his official capacity.

23 II

24 Respondent is presently licensed and/or has license
25 rights under the Real Estate Law (Part 1 of Division 4 of the
26 Business and Professions Code) (Code) as a real estate
27 salesperson.

1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondent
5 under the Real Estate Law (Part 1 of Division 4 of the Business
6 and Professions Code), and for such other and further relief as
7 may be proper under the provisions of law.

8
9
10 
11 CHARLES W. KOENIG
12 Deputy Real Estate Commissioner

13 Dated at Sacramento, California,
14 this 8th day of May, 2003.