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SEP 30 2008

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of
GARRETT RICE KRUEGER,
Respondent.

No. H-8541 SF

ORDER GRANTING UNRESTRICTED LICENSE

On October 28, 2003, 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 December 30, 2003, and Respondent has operated as a restricted licensee since that time.

On May 7, 2008, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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

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

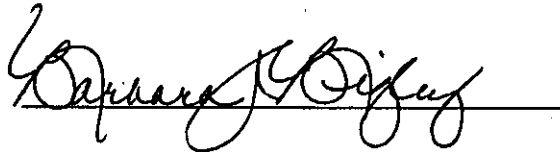
4 (a) Submit a completed application and pay the appropriate fee for a real estate
5 salesperson license, and

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

9 This Order shall become effective immediately.

10 IT IS SO ORDERED 9-29-08

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12 JEFF DAVI
13 Real Estate Commissioner

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17 BY: Barbara J. Bigby
18 Chief Deputy Commissioner
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DEPARTMENT OF REAL ESTATE

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of

GARRETT RICE KRUEGER,

Garrett Rice Krueger
Respondent

No. H- H-8541 SF

STIPULATION AND
WAIVER

I, GARRETT RICE KRUEGER, 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 October 2, 2003, 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 she may in her 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
2 issuance 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 her discretion issue a restricted real estate salesperson license
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and
7 Professions Code.

8 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the
9 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
10 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate
11 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a
12 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

13 I further understand that the following conditions, limitations, and restrictions will attach to a
14 restricted license issued by the Department of Real Estate pursuant hereto:

- 15 1. The license shall not confer any property right in the privileges to be exercised including the
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
17 to exercise any privileges granted under this restricted license in the event of:
 - 18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 20 b. The receipt of evidence that respondent has violated provisions of the California Real
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until two years have elapsed from the date of issuance of the restricted license to respondent.
26
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3. With the application for license, or with the application for transfer to a new employing broker, I
shall submit a statement signed by the prospective employing broker on a form approved by the
Department of Real Estate wherein the employing broker shall certify as follows:
 - 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.
4. My restricted real estate salesperson license is issued subject to the requirements of Section
10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18)
months of the issuance of the restricted license, to submit evidence satisfactory to the
Commissioner of successful completion, at an accredited institution, of two of the courses listed
in Section 10153.2, other than real estate principles, advanced legal aspects of real estate,
advanced real estate finance, or advanced real estate appraisal. If I fail to timely present to the
Department satisfactory evidence of successful completion of the two required courses, the
restricted license shall be automatically suspended effective eighteen (18) months after the date
of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted
license, I have submitted the required evidence of course completion and the Commissioner has
given written notice to me of the lifting of the suspension.
5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license
under Section 10153.4, I shall not be entitled to renew the restricted license, and shall not be
entitled to the issuance of another license which is subject to Section 10153.4 until four years
after the date of the issuance of the preceding restricted license.

DATED this 6 day of October, 203

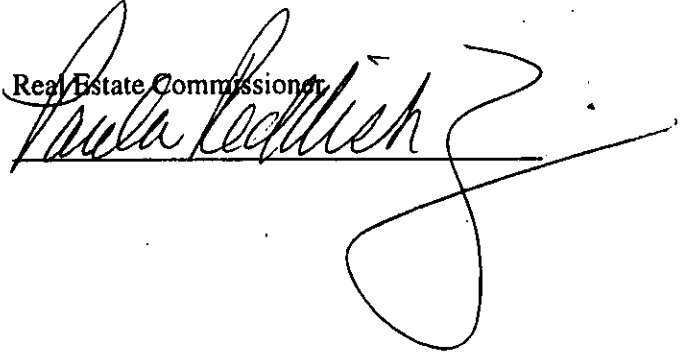
Amrit R. Khera
Respondent

1 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and
3 truthfulness of respondent need not be called and that it will not be inimical to the public interest to issue a
4 restricted real estate salesperson license to respondent.

5 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
6 respondent GARRETT RICE KRUEGER if respondent has otherwise fulfilled all of the statutory
7 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
8 the foregoing Stipulation and Waiver.

9 This Order is effective immediately.

10 DATED this 28. day of October, 2003.

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13 Real Estate Commissioner
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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)

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DEPARTMENT OF REAL ESTATE

By Shelly El

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Application of)

No. H-8541 SF

12 GARRETT RICE KRUEGER,)

STATEMENT OF ISSUES

13 Respondent.)

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15 The Complainant, Les R. Bettencourt, a Deputy Real
16 Estate Commissioner of the State of California, for Statement of
17 Issues against GARRETT RICE KRUEGER (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 October 11, 2002.

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.

27 ///

1 III

2 In response to Question 25 of said application, to wit:
3 "Have you ever been convicted of any violation of law? If yes,
4 complete #27 below.", Respondent answered "YES".

5 IV

6 In response to #27 which asked for a explanation of
7 items 24 - 26 Respondent revealed a misdemeanor conviction for
8 "possession of a fake ID" with the Piedmont Police as the
9 arresting agency and a date of "4-20-98".

10 V

11 On or about May 18, 2000 in the County Court of the
12 City and County of Denver, Colorado, Respondent was convicted of
13 Assault, a crime involving moral turpitude and/or which bears a
14 substantial relationship under Section 2910, Title 10, California
15 Code of Regulations (herein "the Regulations"), to the
16 qualifications, functions or duties of a real estate licensee.

17 VI

18 Respondent's failure to reveal the conviction set forth
19 in Paragraph V above in said application constitutes the attempt
20 to procure a real estate license by fraud, misrepresentation, or
21 deceit, or by making a material misstatement of fact in said
22 application, which failure is cause for denial of Respondent's
23 application for a real estate license under Sections 480(c) and
24 10177(a) of the Code.

25 VII

26 The crime of which Respondent was convicted, as alleged
27 in Paragraph V above, constitutes cause for denial of

1 Respondent's application for a real estate license under Sections
2 480(a) and 10177(b) of the Code.

3 WHEREFORE, the Complainant prays that the above-
4 entitled matter be set for hearing and, upon proof of the charges
5 contained herein, that the Commissioner refuse to authorize the
6 issuance of, and deny the issuance of, a real estate salesperson
7 license to Respondent, and for such other and further relief as
8 may be proper under other provisions of law.

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10 
11 LES R. BETTENCOURT
12 Deputy Real Estate Commissioner

13 Dated at Oakland, California,
14 this 25th day of September, 2003.
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