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MAY 21 2008

DEPARTMENT OF REAL ESTATE

By H. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of) No. H-9049 SF  
LLOIDEN TAYABAS GAZA, )  
Respondent. )

ORDER GRANTING UNRESTRICTED LICENSE

On January 4, 2005, a Decision was rendered herein denying the Respondent's application for 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 January 15, 2005, and Respondent has operated as a restricted licensee since that time.

On August 30, 2007, 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

1 my satisfaction that Respondent meets the requirements of law  
2 for the issuance to Respondent of an unrestricted real estate  
3 salesperson license and that it would not be against the public  
4 interest to issue said license to Respondent.

5 NOW, THEREFORE, IT IS ORDERED that Respondent's  
6 petition for removal of restrictions is granted and that a real  
7 estate salesperson license be issued to Respondent subject to  
8 the following understanding and conditions:

9 1. The license issued pursuant to this order shall be  
10 deemed to be the first renewal of respondent's real estate  
11 salesperson license for the purpose of applying the provisions  
12 of Section 10153.4.

13 2. Within nine (9) months from the date of this order  
14 respondent shall:

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

17 (b) Submit evidence of having taken and successfully  
18 completed the courses specified in subdivisions (a) (1), (2),  
19 (3), (4) and (5) of Section 10170.5 of the Real Estate Law for  
20 renewal of a real estate license.

21 3. Upon renewal of the license issued pursuant to  
22 this order, respondent shall submit evidence of having taken and

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1 successfully completed the continuing education requirements of  
2 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of  
3 a real estate license.

4 This Order shall become effective immediately.

5 IT IS SO ORDERED 5-14-, 2008.

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7 JEFF DAVI  
Real Estate Commissioner  
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1 DEPARTMENT OF REAL ESTATE  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

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DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

7 DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 *In the Matter of the Application of*

10 LLOIDEN TAYABAS GAZA,

11 Respondent.

) NO. H-9049 SF

) STIPULATION AND WAIVER

12  
13 I, LLOIDEN TAYABAS GAZA, respondent herein, do hereby affirm that I have applied to  
14 the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I  
15 have satisfied all of the statutory requirements for the issuance of the license, including the payment of the  
16 fee therefor.

17 I acknowledge that I have received and read the Statement of Issues and the Statement to  
18 Respondent filed by the Department of Real Estate on December 15, 2004, in connection with my  
19 application for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a  
20 hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness  
21 and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a  
22 restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by  
23 filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to  
24 make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license.  
25 I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate  
26 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
27 issuance to me of an unrestricted real estate salesperson license.

1 I hereby admit that the allegations of the Statement of Issues filed against me are true and  
2 correct and requests that the Real Estate Commissioner in his discretion issue a restricted real estate  
3 salesperson license to me under the authority of Section 10156.5 of the Business and Professions Code. I  
4 understand that any such restricted license will be issued subject to and be limited by Section 10153.4 of the  
5 Business and Professions Code.

6 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing  
7 and the opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an  
8 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate  
9 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a  
10 restricted or unrestricted 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  
12 a restricted 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  
14 including the right of renewal, and the Real Estate Commissioner may by appropriate  
15 order suspend the right to exercise any privileges granted under this restricted license  
16 in the event of:
  - 17 a. The conviction of respondent (including a plea of nolo contendere) to a crime  
18 which bears a substantial relationship to respondent's fitness or capacity as a real  
19 estate licensee; or
  - 20 b. The receipt of evidence that respondent has violated provisions of the California  
21 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
22 Commissioner, or 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  
24 the removal of any of the conditions, limitations or restrictions attaching to the  
25 restricted license until two years have elapsed from the date of issuance of the  
26 restricted license to respondent.

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- 1                   3. With the application for license, or with the application for transfer to a new  
2                   employing broker, I shall submit a statement signed by the prospective employing  
3                   broker on a form approved by the Department of Real Estate wherein the employing  
4                   broker shall certify as follows:
- 5                   a. That broker has read the Statement of Issues which is the basis for the issuance  
6                   of the restricted license; and
- 7                   b. That broker will carefully review all transaction documents prepared by the  
8                   restricted licensee and otherwise exercise close supervision over the licensee's  
9                   performance of acts for which a license is required.
- 10                  4. My restricted real estate salesperson license is issued subject to the requirements of  
11                  Section 10153.4 of the Business and Professions Code, to wit: I am required, within  
12                  eighteen (18) months of the issuance of the restricted license, to submit evidence  
13                  satisfactory to the Commissioner of successful completion, at an accredited  
14                  institution, of a course in real estate practices and one of the courses listed in Section  
15                  10153.2, other than real estate principles, advanced legal aspects of real estate,  
16                  advanced real estate finance, or advanced real estate appraisal. If I fail to timely  
17                  present to the Department satisfactory evidence of successful completion of the two  
18                  required courses, the restricted license shall be automatically suspended effective  
19                  eighteen (18) months after the date of its issuance. Said suspension shall not be lifted  
20                  unless, prior to the expiration of the restricted license, I have submitted the required  
21                  evidence of course completion and the Commissioner has given written notice to  
22                  Respondent of the lifting of the suspension.
- 23                  5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified  
24                  license under Section 10153.4, Respondent shall not be entitled to renew the restricted  
25                  license, and shall not be entitled to the issuance of another license which is subject to  
26                  Section 10153.4 until four years after the date of the issuance of the preceding  
27                  restricted license.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on respondent as if the Department had received the original signed Stipulation and Waiver.

12-17-04  
Dated

  
LLOIDEN TAYABAS GAZA, 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 LLOIDEN TAYABAS GAZA, 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.

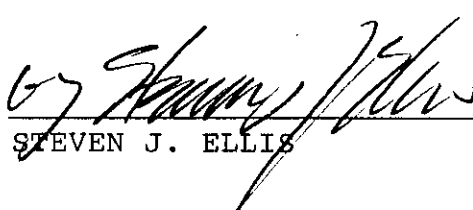
This Order is effective immediately.

IT IS SO ORDERED

January 9, 2005

JEFF DAVI  
Real Estate Commissioner

By:

  
STEVEN J. ELLIS

1 LARRY A. ALAMAO, Counsel  
2 State Bar No. 47379  
3 Department of Real Estate  
4 P. O. Box 187007  
5 Sacramento, CA 95818-7007  
6 Telephone: (916) 227-0789  
7

FILED  
DEC 15 2004

DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of )  
13 LLOIDEN TAYABAS GAZA, ) NO. H-9049 SF  
14 Respondent. ) STATEMENT OF ISSUES  
15 )

16 The Complainant, STEVEN ELLIS, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against LLOIDEN TAYABAS GAZA (hereinafter "Respondent"), is  
19 informed and alleges as follows:

20 I

21 Respondent made application to the Department of Real  
22 Estate of the State of California for a real estate salesperson  
23 license on or about October 1, 2004, with the knowledge and  
24 understanding that any license issued as a result of said  
25 application would be subject to the conditions of Section 10153.4  
26 of the Business and Professions Code.

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1 II

2 Complainant, STEVEN ELLIS, a Deputy Real Estate  
3 Commissioner of the State of California, makes this Statement of  
4 Issues in his official capacity and not otherwise.


5 III

6 On or about December 11, 1998 in the Superior Court,  
7 County of San Joaquin, Respondent was convicted of a violation of  
8 Sections 10980(c)(2) and 10980(g)(2) of the California Welfare  
9 and Institutions Code (Unlawfully Obtaining Public Aid), a crime  
10 involving moral turpitude which bears a substantial relationship  
11 under Section 2910, Title 10, California Code of Regulations, to  
12 the qualifications, functions, or duties of a real estate licensee.

13 IV

14 The crime of which Respondent was convicted, as alleged  
15 above, constitutes cause for denial of Respondent's application  
16 for a real estate license under Sections 480(a) and 10177(b) of  
17 the California Business and Professions Code.

18 WHEREFORE, the Complainant prays that the above-  
19 entitled matter be set for hearing and, upon proof of the charges  
20 contained herein, that the Commissioner refuse to authorize the  
21 issuance of, and deny the issuance of, a real estate salesperson  
22 license to Respondent, and for such other and further relief as  
23 may be proper under other provisions of law.

24  
25   
26 STEVEN J. ELLIS  
27 Deputy Real Estate Commissioner

26 Dated at Sacramento, California,  
27 this 15<sup>th</sup> day of December, 2004.