

FILED

MAY 23 2010

DEPARTMENT OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of

GURMEET SINGH,

Respondent.

No. H-9588 SF

ORDER GRANTING UNRESTRICTED LICENSE

On October 23, 2006, 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 January 29, 2007, and Respondent has operated as a restricted licensee since that time.

On August 25, 2009, 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 subject to  
3 the following understanding and conditions:

4 1. The license issued pursuant to this order shall be deemed to be the first  
5 renewal of Respondent's real estate salesperson license for the purpose of applying the provisions  
6 of Section 10153.4.

7 2. Within twelve (12) months from the date of this order Respondent shall:

8 (a) Submit a completed application and payment of the appropriate fee for a  
9 real estate salesperson license, and

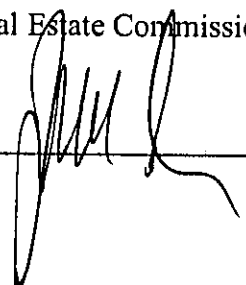
10 (b) Submit evidence of having taken and successfully completed the courses  
11 specified in subdivisions (a) (1), (2), (3), (4) and (5) of Section 10170.5 of the Real Estate Law  
12 for renewal of a real estate license.

13 3. Upon renewal of the license issued pursuant to this order, Respondent  
14 shall submit evidence of having taken and successfully completed the continuing education  
15 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate  
16 license.

17 This Order shall become effective immediately.

18 IT IS SO ORDERED 5-11-2010

19  
20 JEFF DAVI  
Real Estate Commissioner

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26  
27

1 Department of Real Estate  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

FILED  
OCT 30 2006

DEPARTMENT OF REAL ESTATE

By K. Contreras

7 DEPARTMENT OF REAL ESTATE  
8 STATE OF CALIFORNIA

9  
10 *In the Matter of the Application of*

11 GURMEET SINGH

12  
13 Respondent  
14

)  
) No. H- 9588 SF  
)

)  
) STIPULATION AND  
) WAIVER  
)

15 It is hereby stipulated by and between GURMEET SINGH (hereinafter "Respondent") and  
16 Respondent's attorney, FRANK M. BUDA, and the Complainant, acting by and through DANIEL E.  
17 KEHEW, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of  
18 the Statement of Issues filed on May 11, 2006 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues and the  
20 Statement to Respondent filed by the Department of Real Estate in connection with Respondent's  
21 application for a real estate salesperson license. Respondent understands that the Real Estate Commissioner  
22 may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's  
23 honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the  
24 hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and  
25 Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Real Estate  
26 Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent meets  
27 all the requirements for issuance of a real estate salesperson license. Respondent further understands that by

1 entering into this stipulation and waiver Respondent will be stipulating that the Real Estate Commissioner  
2 has found that Respondent has failed to make such a showing, thereby justifying the denial of the issuance  
3 to Respondent of an unrestricted real estate salesperson license.

4 Respondent hereby admits that the allegations of the Statement of Issues filed against Respondent are  
5 true and correct and requests that the Real Estate Commissioner in his discretion issue a restricted real  
6 estate salesperson license to Respondent under the authority of Section 10156.5 of the Business and  
7 Professions Code. Respondent understands that any such restricted license will be issued subject to and be  
8 limited by Section 10153.4 of the Business and Professions Code.

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

15 Respondent further understands that the following conditions, limitations, and restrictions will attach  
16 to a restricted license issued by the Department of Real Estate pursuant hereto:

- 17 1. The license shall not confer any property right in the privileges to be exercised including the  
18 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
19 to exercise any privileges granted under this restricted license in the event of:
  - 20 a. The conviction of Respondent (including a plea of nolo contendere) to a crime which bears  
21 a substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
  - 22 b. The receipt of evidence that Respondent has violated provisions of the California Real  
23 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or  
24 conditions attaching to this restricted license.
- 25 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license  
26 nor the removal of any of the conditions, limitations or restrictions attaching to the restricted  
27

1 license until two years have elapsed from the date of issuance of the restricted license to  
2 Respondent.

- 3 3. With the application for license, or with the application for transfer to a new employing broker,  
4 Respondent shall submit a statement signed by the prospective employing broker on a form  
5 approved by the Department of Real Estate wherein the employing broker shall certify as  
6 follows:

- 7 a. That broker has read the Statement of Issues which is the basis for the issuance of the  
8 restricted license; and  
9 b. That broker will carefully review all transaction documents prepared by the restricted  
10 licensee and otherwise exercise close supervision over the licensee's performance of acts  
11 for which a license is required.

- 12 4. Respondent's restricted real estate salesperson license is issued subject to the requirements of  
13 Section 10153.4 of the Business and Professions Code, to wit: Respondent is required, within  
14 eighteen (18) months of the issuance of the restricted license, to submit evidence satisfactory to  
15 the Commissioner of successful completion, at an accredited institution, of  
16 a course in real estate practices and one of the courses listed in Section 10153.2, other than real  
17 estate principles, advanced legal aspects of real estate, advanced real estate finance, or advanced  
18 real estate appraisal. If Respondent fails to timely present to the Department satisfactory  
19 evidence of successful completion of the two required courses, the restricted license shall be  
20 automatically suspended effective eighteen (18) months after the date of its issuance. Said  
21 suspension shall not be lifted unless, prior to the expiration of the restricted license, Respondent  
22 has submitted the required evidence of course completion and the Commissioner has given  
23 written notice to Respondent of the lifting of the suspension.

- 24 5. Pursuant to Section 10154, if Respondent has not satisfied the requirements for an unqualified  
25 license under Section 10153.4, Respondent shall not be entitled to renew the restricted license,  
26 and shall not be entitled to the issuance of another license which is subject to Section 10153.4  
27 until four years after the date of the issuance of the preceding restricted license.

1  
2 9/11/06

3 Dated

Daniel E. Kehew

Daniel E. Kehew, Counsel, Department of Real Estate

4 \* \* \*

5 I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are  
6 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me  
7 by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509,  
8 and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights,  
9 including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine  
10 witnesses against me and to present evidence in defense and mitigation of the charges.

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

17 9/21/06

18 Dated

Gurmeet Singh

Gurmeet Singh, Respondent

19 I have reviewed the Stipulation and Waiver as to form and content and have advised my client  
20 accordingly.

21 8-15-06

22 Dated

Frank M. Buda

Frank M. Buda, Attorney for Respondent

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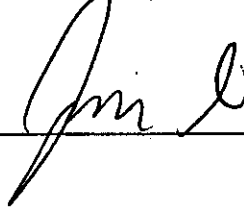
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public 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, 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 10-23-86

Jeff Davi  
Real Estate Commissioner

  
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1 DANIEL E. KEHEW, Counsel (SBN 231550)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0425 (Direct)

FILED  
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DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 )  
13 GURMEET SINGH, )  
14 )  
Respondent. )

H-9588 SF

STATEMENT OF ISSUES

15 The Complainant, E. J. HABERER II, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against GURMEET SINGH (hereinafter "Respondent"), is informed and  
18 alleges as follows:

19 I

20 Complainant, E. J. HABERER II, a Deputy Real Estate  
21 Commissioner of the State of California, makes this Statement of  
22 Issues against Respondent in his official capacity.

23 II

24 Respondent made application to the Department of Real  
25 Estate of the State of California for a real estate salesperson  
26 license on or about February 7, 2005, with the knowledge and  
27 understanding that any license issued as a result of said



1 application would be subject to the conditions of Section 10153.4  
2 of the Business and Professions Code (hereinafter "Code").


3 III

4 On or about July 16, 2003, in the Superior Court of  
5 California, County of Alameda, Respondent was convicted of  
6 CORPORAL INJURY TO A SPOUSE/CHILD'S PARENT in violation of Penal  
7 Code Section 273.5(a), a misdemeanor and crime involving moral  
8 turpitude that bears a substantial relationship under Section  
9 2910, Title 10, California Code of Regulations (hereinafter  
10 "Regulations"), to the qualifications, functions, or duties of a  
11 real estate licensee.

12 IV

13 Respondent's criminal conviction, described above,  
14 constitutes cause for denial of Respondent's application for a real  
15 estate license under Sections 480(a) and 10177(b) of the Code.

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

22  
23   
24 E.J. HABERER II  
25 Deputy Real Estate Commissioner

26 Dated at Oakland, California  
27 this 3rd day of May, 2006.