

1 DEPARTMENT OF REAL ESTATE  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007

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FILED  
JUN 15 2006

DEPARTMENT OF REAL ESTATE

By K. Contreras

7 DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 *In the Matter of the Application of*

10 PETER WHITNEY HALL,

11 Respondent.

)  
) NO. H-9606 SF

)  
) **STIPULATION AND WAIVER**

12  
13 I, PETER WHITNEY HALL, 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 May 25, 2006, in connection with my application for  
19 a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this  
20 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove  
21 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real  
22 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the  
23 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
24 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I  
25 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 request 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  
19 real 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.

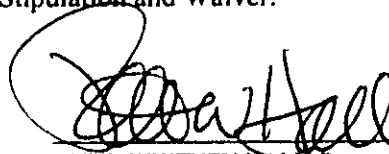
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- 1                   3. With the application for license, or with the application for transfer to a new  
2                   employing broker, I shall submit a statement signed by the prospective employing  
3                   broker on a form approved 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.

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

7  
8 6/8/2006

Dated



PETER WHITNEY HALL, Respondent

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

14 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
15 issued to Respondent PETER WHITNEY HALL, if Respondent has otherwise fulfilled all of the statutory  
16 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in  
17 the foregoing Stipulation and Waiver.

18 This Order is effective immediately.

19 IT IS SO ORDERED June 13, 2006

20  
21 JEFF DAVIS  
Real Estate Commissioner



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

4 Telephone: (916) 227-0789  
-or- (916) 227-0425 (Direct)  
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FILED  
MAY 25 2006

DEPARTMENT OF REAL ESTATE

By K. Contreras

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

11 \* \* \*

12 In the Matter of the Application of )  
13 PETER WHITNEY HALL, ) H-9606 SF  
14 Respondent. ) STATEMENT OF ISSUES  
15 )

16 The Complainant, CHARLES W. KOENIG, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against PETER WHITNEY HALL (hereinafter "Respondent"), is informed  
19 and alleges as follows:

20 I

21 Complainant, CHARLES W. KOENIG, a Deputy Real Estate  
22 Commissioner of the State of California, makes this Statement of  
23 Issues against Respondent in his official capacity.

24 II

25 Respondent made application to the Department of Real  
26 Estate of the State of California for a real estate salesperson  
27 license on or about May 26, 2005, with the knowledge and

1 understanding that any license issued as a result of said  
2 application would be subject to the conditions of Section 10153.4  
3 of the Business and Professions Code (hereinafter "Code").

4 FIRST CAUSE OF ACTION

5 III

6 On or about April 25, 2003, in the Superior Court of  
7 California, County of Monterey, Respondent was convicted of  
8 Driving Without a License in violation of Vehicle Code Section  
9 12500(a), a misdemeanor, and a crime involving moral turpitude  
10 and/or a crime that bears a substantial relationship under Section  
11 2910, Title 10, California Code of Regulations (hereinafter  
12 "Regulations"), to the qualifications, functions, or duties of a  
13 real estate licensee.

14 IV

15 On or about March 18, 1992, in the Superior Court of  
16 California, County of Monterey, Respondent was convicted of  
17 Driving Under the Influence of Alcohol and/or Drugs in violation  
18 of Vehicle Code Section 23132(a), a misdemeanor and a crime  
19 involving moral turpitude and/or crime that bears a substantial  
20 relationship under Section 2910 of the Regulations to the  
21 qualifications, functions, or duties of a real estate licensee.

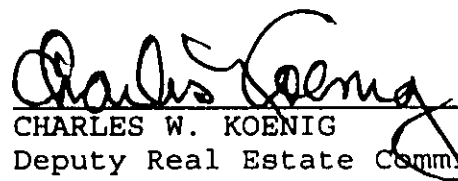
22 V

23 Respondent's criminal convictions, described in  
24 Paragraphs III and IV above, jointly and/or individually  
25 constitute cause for denial of Respondent's application for a  
26 real estate license under Sections 480(a) and 10177(b) of the  
27 Code.



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WHEREFORE, Complainant prays that 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 just and proper under the law.

  
CHARLES W. KOENIG  
Deputy Real Estate Commissioner

Dated at Sacramento, California  
this 24<sup>th</sup> day of May, 2006.