

FILED

DEC 15 2011

DEPARTMENT OF REAL ESTATE

By P. Jones

Department of Real Estate
P.O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

JAGDEEP SINGH

Respondent.

No. H- 11199 SF

STIPULATION AND WAIVER

I, JAGDEEP SINGH, Respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate broker 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 August 18, 2011, in connection with my application for a real estate broker 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 broker 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 broker license. I further understand that by entering into this stipulation

1 and waiver I will be stipulating that the Real Estate Commissioner has found that I have failed to
2 make such a showing, thereby justifying the denial of the issuance to me of an unrestricted real
3 estate broker license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true and
5 correct and request that the Real Estate Commissioner in her discretion issue a restricted real estate
6 broker license to me under the authority of Section 10156.5 of the Business and Professions Code.

7 I am aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is
8 accepted by the Real Estate Commissioner, I am waiving my right to a hearing and the opportunity
9 to present evidence at the hearing to establish my rehabilitation in order to obtain an unrestricted
10 real estate broker license. I am not waiving my right to a hearing and to further proceedings to
11 obtain a restricted or unrestricted license if this Stipulation and Waiver is not accepted by the
12 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 and the
16 Real Estate Commissioner may by appropriate order suspend the right to exercise any
17 privileges granted under this restricted license in the event of:
 - 18 a. Respondent's conviction (including a plea of nolo contendere) of a crime which
19 bears a substantial relationship to Respondent's fitness or capacity as a real estate
20 licensee; or
 - 21 b. The receipt of evidence that Respondent has violated provisions of the California
22 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate
23 Commissioner, or conditions attaching to this restricted license.
- 24 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
25 removal of any of the conditions, limitations, or restrictions attaching to the restricted
26 license until two years have elapsed from the date of issuance of the restricted license to
27 Respondent.

1 3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by
2 sending a certified letter to the Commissioner at the Department of Real Estate, Post
3 Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of
4 Respondent's arrest, the crime for which Respondent was arrested and the name and
5 address of the arresting law enforcement agency. Respondent's failure to timely file
6 written notice shall constitute an independent violation of the terms of the restricted
7 license and shall be grounds for the suspension or revocation of that license.

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

14
15 10/24/2011

16 Dated

15 

16 JAGDEEP SINGH, Respondent

17
18 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver
19 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as
20 to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to
21 the public interest to issue a restricted real estate broker license to Respondent.

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1 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
2 Respondent JAGDEEP SINGH if Respondent has otherwise fulfilled all of the statutory
3 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as
4 specified in the foregoing Stipulation and Waiver.

5 This Order is effective immediately.

6 IT IS SO ORDERED 12/7/11

7 Barbara J. Bigby
8 Acting Real Estate Commissioner

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FILED

1 TRULY SUGHRUE, Counsel
2 State Bar No. 223266
3 Department of Real Estate
4 P.O. Box 187007
5 Sacramento, CA 95818-7007

August 18, 2011

DEPARTMENT OF REAL ESTATE

By 

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8 Telephone: (916) 227-0789
9 (916) 227-0781 (Direct)
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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

11 In the Matter of the Application of

12 JAGDEEP SINGH,

13 Respondent.
14

No. H-11199 SF

STATEMENT OF ISSUES

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

18 1

19 Complainant, E. J. Haberer II, a Deputy Real Estate Commissioner of the State of
20 California, makes this Statement of Issues in his official capacity.

21 2

22 Respondent made application to the State of California Department of Real
23 Estate (hereinafter "Department") for a real estate broker license on or about May 31, 2011.

24 3

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

1 4

2 Between, on, or about November 2008 and March 2009, Respondent engaged in
3 the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker
4 within the State of California within the meaning of Sections 10131(b) of the Code, including the
5 operation and conduct of a real estate resale brokerage with the public wherein, on behalf of
6 others, for compensation or in expectation of compensation, Respondent sold and offered to sell,
7 bought and offered to buy, solicited prospective sellers and purchasers of, solicited and obtained
8 listings of, and negotiated the purchase and resale of real property or business opportunity.

9 5

10 Between, on, or about November 2008 and March 2009, Respondent acted on
11 behalf of seller, Kulwinder Singh, and buyers Neela Sayler and Noorudin Billawala (hereinafter
12 "buyers"), in the purchase of the business opportunity the Island Grill, Inc. located at 1335 North
13 4th Street, San Jose. In compensation, buyers agreed to pay Respondent \$40,000.

14 6

15 Between, on, or about November 2008 and March 2009, Respondent received
16 \$40,000 directly from the buyers as commission.

17 7

18 The acts of Respondent as described above are grounds for the denial of
19 Respondent's application for a real estate license under Sections 10177(f) and 10177(d) of the
20 Code in conjunction with Section 10137 of the Code.

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

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7 
8 E. J. HABERER II
9 Deputy Real Estate Commissioner

10 Dated at Oakland, California,
11 this 8 day of August, 2011.

12
13 DISCOVERY DEMAND

14 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department of
15 Real Estate hereby makes demand for discovery pursuant to the guidelines set forth in the
16 *Administrative Procedure Act*. Failure to provide Discovery to the Department of Real Estate
17 may result in the exclusion of witnesses and documents at the hearing or other sanctions that the
18 Office of Administrative Hearings deems appropriate.