

1 Bureau of Real Estate  
2 P.O. Box 137007  
3 Sacramento, CA 95813-7007

4 Telephone: Fax (916) 263-3767  
5 Main Office (916) 263-8670

**FILED**

NOV 15 2013

BUREAU OF REAL ESTATE

By B. Contreras

8 **BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of*

12  
13 AMBER MARIE MERRIGAN,

14 Respondent.

) No. H- 11553 SF

)  
) **STIPULATION AND WAIVER**

15  
16 I, AMBER MARIE MERRIGAN, Respondent herein, do hereby affirm that I have applied to  
17 the Bureau of Real Estate for a real estate salesperson license and that to the best of my knowledge I  
18 have satisfied all of the statutory requirements for the issuance of the license, including the payment  
19 of the fee therefor.

20 I acknowledge that I have received and read the Statement of Issues and the Statement to  
21 Respondent filed by the Bureau of Real Estate on May 31, 2013, in connection with my application  
22 for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a  
23 hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and  
24 truthfulness and to prove other allegations therein, or that he may in his discretion waive the  
25 hearing and grant me a restricted real estate salesperson license based upon this Stipulation and  
26 Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate  
27 Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the

1 requirements for issuance of a real estate salesperson license. I further understand that by entering  
2 into this Stipulation and Waiver, I will be stipulating that the Real Estate Commissioner has found  
3 that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an  
4 unrestricted real estate salesperson license.

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

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

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

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

1 license until four 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  
4 broker, I shall submit a statement signed by the prospective employing broker on a form  
5 approved by the Bureau of Real Estate wherein the employing broker shall certify as  
6 follows:

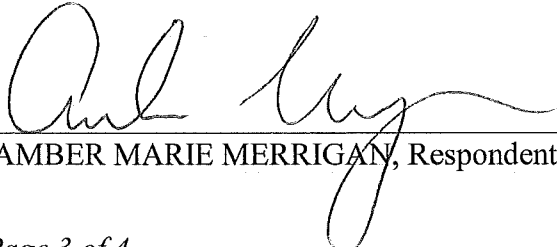
7 a. That broker has read the Statement of Issues which is the basis for the issuance of  
8 the restricted license; and

9 b. That broker will carefully review all transaction documents prepared by the  
10 restricted licensee and otherwise exercise close supervision over the licensee's  
11 performance of acts for which a license is required.

12 4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by  
13 sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office  
14 Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of  
15 Respondent's arrest, the crime for which Respondent was arrested and the name and  
16 address of the arresting law enforcement agency. Respondent's failure to timely file  
17 written notice shall constitute an independent violation of the terms of the restricted  
18 license and shall be grounds for the suspension or revocation of that license.

19 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation  
20 and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Bureau  
21 at fax number (916) 263-3767. Respondent agrees, acknowledges and understands that by  
22 electronically sending to the Bureau a fax copy of her actual signature as it appears on  
23 the Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on  
24 Respondent as if the Bureau had received the original signed Stipulation and Waiver.

25  
26 10/3/2013  
27 Dated

  
AMBER MARIE MERRIGAN, Respondent

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

\* \* \*

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 AMBER MARIE MERRIGAN, 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 NOV 08 2013

REAL ESTATE COMMISSIONER



**By: JEFFREY MASON  
Chief Deputy Commissioner**