

**FILED**

**March 24, 2014**

BUREAU OF REAL ESTATE



By \_\_\_\_\_

1 Bureau of Real Estate  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007  
4 Telephone: (916) 263-8672  
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7 **BUREAU OF REAL ESTATE**  
8 **STATE OF CALIFORNIA**  
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10 \* \* \*

11 *In the Matter of the Application of*

12 SAN A. UNG,

13 Respondent.

H-11650 SF

**STIPULATION AND WAIVER**

(Per Business and Professions Code § 10100.4)

14 SAN A. UNG ("Respondent"), does hereby affirm that on May 8, 2013 she applied  
15 to the Bureau of Real Estate ("Bureau") for a real estate salesperson license and that to the best of  
16 her knowledge she satisfied all of the statutory requirements for the issuance of the license,  
17 including the payment of the fee therefore.

18 FACTUAL BASIS  
19

20 On or about March 12, 1999, in the Superior Court of the State of California, County  
21 of Alameda, Case Number 426266, Respondent was convicted of violating Section 470(a) of the  
22 Penal Code (Forgery), a misdemeanor which bears a substantial relationship under Section 2910,  
23 Title 10, California Code of Regulations ("Regulations") to the qualifications, functions or duties of  
24 a real estate licensee.

25 On or about June 8, 2009, in the Superior Court of the State of Arizona, County of  
26 Yuma, Third Precinct Justice Court, Case Number J1403MS200800149, Respondent was convicted  
27



1                   Respondent is aware that by signing this Stipulation and Waiver, and if this  
2 Stipulation and Waiver is accepted by the Commissioner, Respondent is waiving his right to a  
3 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order  
4 to obtain an unrestricted real estate salesperson license. Respondent is not waiving his right to a  
5 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation  
6 and Waiver is not accepted by the Commissioner.

7                   Respondent understands that this Stipulation and Waiver, which was executed  
8 pursuant to the authority under section 10100.4 and 10156.5 of the Code, is considered discipline  
9 by the Bureau.

10                   Respondent further understand that the following conditions, limitations and  
11 restrictions will attach to a restricted real estate license issued by the Bureau pursuant hereto:

12                   1.       The license shall not confer any property right in the privileges to be  
13 exercised and the Commissioner may by appropriate order suspend the right to exercise any  
14 privileges granted under this restricted license in the event of:

15                               a.       Respondent's conviction (including a plea of nolo contendere) of a  
16 crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate  
17 licensee; or

18                               b.       The receipt of evidence that Respondent has violated provisions of  
19 the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or  
20 conditions attaching to this restricted license.

21                   2.       Respondent shall not be eligible to apply for the issuance of an unrestricted  
22 real estate license nor the removal of any of the conditions, limitations or restrictions attaching to  
23 the restricted real estate license until two (2) years have elapsed from the date of issuance of the  
24 restricted real estate license to Respondent.

25                   3.       With the application for license, or with the application for transfer to a new  
26 employing broker, Respondent shall submit a statement signed by the prospective employing broker  
27 on a form approved by the Bureau wherein the employing broker shall certify as follows:

1 a. That broker has read the Stipulation and Waiver which is the basis for the  
2 issuance of the restricted license; and

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

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

13 Respondent has read the Stipulation and Waiver and its terms are understood by  
14 Respondent and agreeable and acceptable to Respondent. Respondent understands that Respondent  
15 is waiving rights given to Respondent by the California Administrative Procedure Act (including,  
16 but not limited to, California Government Code sections 11504, 11506, 11508, 11509, and 11513),  
17 and willingly, intelligently, and voluntarily waives those rights, including, but not limited to, the  
18 right to a hearing on a Statement of Issues at which he would have the right to cross-examine  
19 witnesses against Respondent and to present evidence in defense and mitigation of the charges.

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

26 1.17.14

27 \_\_\_\_\_  
Dated



\_\_\_\_\_  
SAN A. UNG, Respondent

1 I have read the foregoing Stipulation and Waiver signed by Respondent. I am  
2 satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness  
3 of Respondent need not be called and that it will not be inimical to the public interest to issue a  
4 restricted real estate salesperson license to Respondent.

5 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson  
6 license be issued to Respondent SAN A. UNG if Respondent has otherwise fulfilled all of the  
7 statutory requirements for licensure. The restricted license shall be limited, conditioned, and  
8 restricted as specified in the foregoing Stipulation and Waiver.

9 This Order is effective immediately.

10  
11 IT IS SO ORDERED 3/6/2014.

12 Real Estate Commissioner

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14 

15 WAYNE S. BELL