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FILED

JUL 20 2018
DEPARTMENT OF REAL ESTATE

By H dew

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of

PEGGY LOREN MARCOS,

Respondent.

CalBRE No. H-12188 SF

OAH No. 2018030076

STIPULATION AND WAIVER
AND DECISION AFTER REJECTION

This matter came on for hearing before Diane Schneider, Administrative Law Judge, Office of Administrative Hearings, State of California, in Sacramento, California, on April 5, 2018.

John W. Barron, Counsel, represented the Complainant, Robin S. Tanner, in her official capacity as a Supervising Special Investigator with the Bureau of Real Estate ("the Bureau"). Respondent, PEGGY LOREN MARCOS, appeared and represented herself.

Evidence was received, the record was closed, and the matter was submitted on April 5, 2018.

On April 23, 2018, the Administrative Law Judge rendered a Proposed Decision which the Real Estate Commissioner (hereinafter "the Commissioner") declined to adopt as his Decision herein. Pursuant to Section 11517 of the Government Code of the State of California, Respondent was served with notice of the Commissioner's determination not to adopt the

1 Proposed Decision along with a copy of the Proposed Decision. Respondent was notified that
2 the case would be decided by the Commissioner upon the record, the transcript of proceedings,
3 and upon written argument offered by Respondent and Complainant.

4 Written argument was not submitted by Respondent. Written argument was not
5 submitted on behalf of Complainant. The parties wish to settle this matter without further
6 proceedings.

7 The following shall constitute the Decision of the Commissioner in these
8 proceedings.

9 The Findings of Fact and Legal Conclusions in the Proposed Decision dated April
10 23, 2018, and attached hereto as Exhibit A are hereby adopted in full as part of this Decision.

11 Pursuant to Section 11517(c)(2)(E) of the California Government Code, the
12 Order in the Proposed Decision dated January 11, 2018, is hereby amended as follows:

13 ORDER

14 Respondent's application for a real estate salesperson license is denied;
15 provided, however, a restricted real estate salesperson license shall be issued to
16 Respondent pursuant to Section 10156.5 of the Business and Professions Code. The
17 restricted license issued to the Respondent shall be subject to all of the provisions of
18 Section 10156.7 of the Business and Professions Code and to the following limitations,
19 conditions and restrictions imposed under authority of Section 10156.6 of said Code:

20 1. The license shall not confer any property right in the privileges to be
21 exercised, and the Real Estate Commissioner may by appropriate order suspend the right
22 to exercise any privileges granted under this restricted license in the event of:

23 (a) The conviction of Respondent (including a plea of nolo contendere)
24 of a crime which is substantially related to Respondent's fitness or capacity as a real estate
25 licensee; or

1 **(b) The receipt of evidence that Respondent has violated provisions of**
2 **the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate**
3 **Commissioner or conditions attaching to this restricted license.**

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

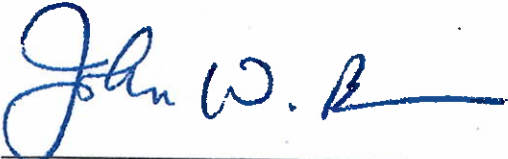
8 **3. With the application for license, or with the application for transfer to a**
9 **new employing broker, Respondent shall submit a statement signed by the prospective**
10 **employing real estate broker on a form RE 552 (Rev. 4/88) approved by the Bureau of**
11 **Real Estate which shall certify as follows:**

12 **(a) That the employing broker has read the Decision which is the basis**
13 **for the issuance of the restricted license; and**

14 **(b) That the employing broker will carefully review all transaction**
15 **documents prepared by the restricted licensee and otherwise exercise close supervision**
16 **over the licensee's performance of acts for which a license is required.**


17 **4. Respondent shall notify the Commissioner in writing within 72 hours of any**
18 **arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post**
19 **Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of**
20 **Respondent's arrest, the crime for which Respondent was arrested and the name and address**
21 **of the arresting law enforcement agency. Respondent's failure to timely file written notice**
22 **shall constitute an independent violation of the terms of the restricted license and shall be**
23 **grounds for the suspension or revocation of that license.**

24
25 June 8, 2018
26 DATED

27

JOHN W. BARRON
Real Estate Counsel

I have read the Stipulation and Waiver and Decision After Rejection and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the Administrative Procedure Act, and I willingly, intelligently, and voluntarily waive those rights.

6/4/18


PEGGY LOREN
Respondent

The foregoing Stipulation and Waiver and Decision After Rejection is hereby adopted as my Decision and Order in this matter and shall become effective at 12 o'clock noon on **AUG 10 2018**

IT IS SO ORDERED July 17, 2018

Daniel J. Hawk