

1 Bureau of Real Estate  
2 P.O. Box 137007  
3 Sacramento, CA 95813-7007  
4 Telephone: (916)263-8670

**FILED**

JUN 29 2018

BUREAU OF REAL ESTATE  
By B. Nicholas

8 **BUREAU OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 In the Matter of the Application of: ) CalBRE No. H-12190 SF  
12 )  
13 HUDSON ALVES REZENDE, ) **STIPULATION AND WAIVER**  
14 )  
Respondent )

15 It is hereby stipulated by and between, HUDSON ALVES REZENDE, ("Respondent"), the  
16 Complainant, acting by and through Jason D. Lazark, Counsel for the Bureau of Real Estate  
17 ("Bureau"), as follows for the purpose of settling and disposing of the Statement of Issues filed on  
18 February 14, 2018, in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues  
20 and the Statement to Respondent filed by the Bureau in connection with Respondent's application  
21 for a real estate salesperson license. Respondent understands that the Real Estate Commissioner  
22 ("Commissioner") may hold a hearing on the Statement of Issues for the purpose of requiring  
23 further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or  
24 that the Commissioner may in his discretion waive the hearing and grant Respondent a restricted  
25 real estate salesperson license based upon this Stipulation and Waiver.

26 Respondent also understands that by filing the Statement of Issues in this matter the  
27 Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent

*HR*

1 meets all the requirements for issuance of a real estate salesperson license. Respondent further  
2 understands that by entering into this Stipulation and Waiver Respondent will be stipulating that the  
3 Commissioner has found that Respondent has failed to make such a showing, thereby justifying the  
4 denial of the issuance to Respondent of a real estate salesperson license.

5 Respondent hereby admits that the allegations of the Statement of Issues filed against  
6 Respondent are true and correct and requests that the Commissioner in his discretion issue a  
7 restricted real estate salesperson license to Respondent under the authority of Sections 10156.5 and  
8 10166.051 of the Business and Professions Code ("Code").

9 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving  
10 Respondent's right to a hearing and the opportunity to present evidence at the hearing if this  
11 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving  
12 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted  
13 license if this Stipulation and Waiver is not accepted by the Commissioner.

14 Respondent agrees that by signing this Stipulation and Waiver, the conditions, limitations  
15 and restrictions imposed on Respondent's license, identified below, may be removed only by filing  
16 a Petition for Removal of Restrictions ("Petition") with the Commissioner, and that Respondent's  
17 Petition must follow the procedures set forth in Government Code Section 11522.

18 Respondent further understands that the restricted license issued to Respondent shall be  
19 subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,  
20 conditions and restrictions imposed under authority of Section 10156.6 of the Code:

21 1. The restricted license shall not confer any property rights in the privileges to be  
22 exercised including the right to renewal, and the Commissioner may by appropriate  
23 order suspend the right to exercise any privileges granted under the restricted license in  
24 the event of:

25 a. Respondent's conviction (including a plea of nolo contendere) of a crime that  
26 bears a substantial relationship to Respondent's fitness or capacity to hold a real  
27 estate license; or

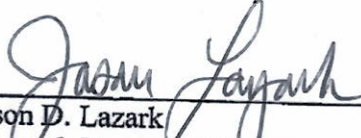




1 4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by  
2 sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office  
3 Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of  
4 Respondent's arrest, the crime for 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 real  
7 estate salesperson license and shall be grounds for the suspension or revocation of that  
8 license.

9  
10  
11 5-7-18

12 Dated:

  
13 Jason D. Lazark  
14 Counsel, Bureau of Real Estate

15 \* \* \*

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

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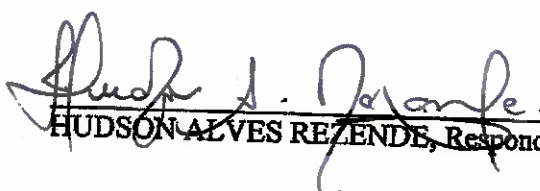
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Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by scanning and e-mailing a copy of the signature page, as actually signed by Respondent, to the Bureau counsel assigned to the case. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a scanned copy of Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the scanned copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation and Waiver.

4/27/18  
Dated

  
HUDSON ALVES REZENDE, Respondent

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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, if Respondent has otherwise fulfilled all of the statutory requirements for a real estate salesperson license. The restricted real estate salesperson license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED June 26, 2018.

WAYNE BELL  
REAL ESTATE COMMISSIONER

  
By: DANIEL J. SANDRI  
Chief Deputy Commissioner