

NOV 19 2018

DEPARTMENT OF REAL ESTATE

By *adw*

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**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Accusation of:

IBRAHIM YILMAZ,

Respondent.

DRE No. H-12193 SF

OAH No. 2018051320

**STIPULATION AND AGREEMENT
AND DECISION AFTER REJECTION**

This matter came to hearing before Adrienne J. Miller, Administrative Law Judge, Office of Administrative Hearings, State of California, in Sacramento, California, on June 28, 2018.

Real Estate Counsel Adriana Z. Badilas represented Complainant, Robin Tanner, in her official capacity as a Supervising Special Investigator with the Department of Real Estate ("Department"). Respondent IBRAHIM YILMAZ represented himself.

Evidence was received, the record was closed, and the matter was submitted for decision on June 28, 2018.

On July 19, 2018, the Administrative Law Judge rendered a Proposed Decision which the Real Estate Commissioner ("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 Proposed Decision along with a copy of the Proposed Decision. Respondent was notified that the case would be decided by the Commissioner upon the record, the transcript of proceedings,

1 and upon written argument offered by Respondent and Complainant.

2 Written argument was not submitted by Respondent. Written argument was not
3 submitted by Complainant. The parties wish to settle this matter without further proceedings.

4 The following shall constitute the Decision of the Commissioner in these
5 proceedings.

6 The Findings of Fact and Legal Conclusions in the Proposed Decision dated July
7 19, 2018, and attached hereto as Exhibit A are hereby adopted in full as part of this Decision.

8 Pursuant to Section 11517(c)(2)(B) of the California Government Code, the
9 Order in the Proposed Decision dated July 19, 2018, is hereby amended as follows:

10 ORDER

11 All licenses and licensing rights of Respondent IBRAHIM YILMAZ, under
12 the Real Estate Law, are revoked; provided, however, a restricted real estate salesperson
13 license shall be issued to Respondent pursuant to Section 10156.5 of the Business and
14 Professions Code ("Code"), if Respondent makes application therefore and pays to the
15 Department the appropriate fee for the restricted license within 90 days from the effective
16 date of this Order. The restricted license issued to Respondent shall be subject to all of the
17 provisions of Section 10156.7 of the Code and to the following limitations, conditions and
18 restrictions imposed under authority of Section 10156.6 of the Code:

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

22 (a) The conviction of Respondent (including a plea of nolo
23 contendere) of a crime that is substantially related to

24 Respondent's fitness or capacity as a real estate licensee; or

25 (b) The receipt of evidence that Respondent has violated

26 provisions of the California Real Estate Law, the subdivided
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1 lands law, regulations of the Commissioner or conditions
2 attaching to this restricted license.

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

7 3. Respondent shall submit with any application for license under an
8 employing broker or any application for transfer to a new employing broker, a statement
9 signed by the prospective employing real estate broker on a form approved by the Department,
10 which shall certify:

11 (a) That the employing broker had read the Decision of the Commissioner
12 which granted the right to a restricted license ; and

13 (b) That the employing broker will exercise close supervision over the
14 performance by the restricted licensee relating to activities for which
15 a license is required.

16 4. Respondent shall, within nine months from the effective date of this Order,
17 present evidence satisfactory to the Commissioner that Respondent has, since the most recent
18 issuance of an original or renewal real estate license, taken and successfully completed the
19 continued education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for
20 renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner
21 may order the suspension of the restricted license until the Respondent presents such evidence.
22 The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the
23 Administrative Procedure Act to present such evidence.

24 5. Respondent shall notify the Commissioner in writing within 72 hours of any
25 arrest by sending a certified letter to the Commissioner at the Department of Real Estate. Post
26 Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of
27 Respondent's arrest, the crime for which Respondent was arrested and the name and address

1 of the arresting law enforcement agency. Respondent's failure to timely file written notice
2 shall constitute an independent violation of the terms of the restricted license and shall be
3 grounds for the suspension or revocation of that license.

4 6. Respondent shall pay the Department's costs associated with its
5 investigation and enforcement pursuant to Section 10106 of the Code, in the amount of
6 \$2,454. Respondent shall be permitted to pay those costs in a payment plan approved by the
7 Department. Respondent's failure to make payment in accordance with any formal agreement
8 entered into with the Department or pursuant to any decision by the Department shall
9 constitute an independent violation of the terms of the restricted license and shall be grounds
10 for the suspension or revocation of that license.

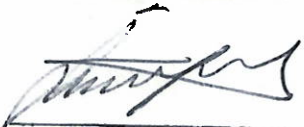
11
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13 NOV. 1, 2018
14 DATED


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23 ADRIANA Z. BADILAS
Real Estate Counsel

24 * * *

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

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Oct/25/2018
DATED


IBRAHIM YILMAZ
Respondent

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The foregoing Stipulation and Agreement 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 **NOV 28 2018**

IT IS SO ORDERED November 14, 2018

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER

Daniel J. Sandri

Flag

FILED

AUG 21 2018
DEPARTMENT OF REAL ESTATE

By A. New

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	DRE No. H-12193 SF
IBRAHIM YILMAZ,)	OAH No. 2018051320
Respondent.)	

NOTICE

TO: IBRAHIM YILMAZ, Respondent.

YOU ARE HEREBY NOTIFIED that the Proposed Decision herein dated July 19, 2018, of the Administrative Law Judge is not adopted as the Decision of the Real Estate Commissioner. A copy of the Proposed Decision dated July 19, 2018, is attached hereto for your information.

In accordance with Section 11517(c) of the Government Code of the State of California, the disposition of this case will be determined by me after consideration of the record herein including the transcript of the proceedings held on Thursday, June 28, 2018, and any written argument hereafter submitted on behalf of respondent and complainant.

Written argument of respondent to be considered by me must be submitted within 15 days after receipt of the transcript of the proceedings of Thursday, June 28, 2018, at the Sacramento office of the Department of Real Estate unless an extension of the time is granted for good cause

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of:

IBRAHIM YILMAZ,

Respondent.

Case No. H-12193 SF

OAH No. 2018051320

PROPOSED DECISION

Administrative Law Judge Adrienne J. Miller, State of California, Office of Administrative Hearings, heard this matter on June 28, 2018, in Oakland, California.

Adriana Z. Badilas, Counsel, represented complainant Robin S. Tanner, a Supervising Special Investigator of the State of California.

Respondent Ibrahim Yilmaz appeared and represented himself.

The matter was submitted on June 28, 2018.

FACTUAL FINDINGS

1. Complainant Robin S. Tanner filed the First Amended Accusation in her official capacity as a Supervising Special Investigator for the Department of Real Estate.
2. Respondent Ibrahim Yilmaz is licensed and has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) as a real estate salesperson. Respondent's salesperson license is current and will expire on February 28, 2020.

Cause for Discipline

CONVICTION

3. On December 22, 2014,¹ in the Superior Court of California, County of Santa Clara, Case No. F1451948, respondent was convicted on his plea of no contest of violating Penal Code section 273.6, subdivision (a) (violation of a protective order), a misdemeanor that bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee pursuant to California Code of Regulations, title 10, section 2910.

4. The facts and circumstances underlying respondent's conviction occurred on or about May 20, 2014 and June 20, 2014. On May 4, 2014, respondent's wife reported to the police that respondent threatened to "cut her head off." As a result of the threat and being in fear of her life, respondent's wife was granted an Emergency Protective Order (EPRO) and subsequently moved out of the parties' residence upon expiration of the EPRO. On May 20, 2014, a Temporary Domestic Violence Order was issued and scheduled to expire on June 11, 2014. This order was a no contact order, explicitly noting: The restrained person must not contact, molest, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, or disturb the peace of the protected person. The order allowed peaceful written contact through a lawyer, process server, or other person for the service of legal papers related to a court case. Respondent's wife received texts and emails from respondent during the period of the Temporary Domestic Violence Order. On June 11, 2014, a second Temporary Domestic Violence Order was issued. This order was exclusively a "No Contact Order." After this temporary domestic violence order was issued respondent continued to contact his wife by phone and email. On July 30, 2014, respondent was arrested for violating the temporary restraining order. Respondent told the police that he accidentally sent an email regarding fertility to his wife. Respondent stated that problems with his wife began when she suffered two miscarriages. He stated to the police that he just wanted his wife back. Respondent admitted to the police that he sent text messages and emails to his wife, but he did not think it was "such a big deal." He also stated that his attorney did not tell him the restraining order was in effect, he thought they still had to go to court to decide the restraining order. Respondent also texted his wife's family and told the police he did so in an effort to get his wife back. Respondent further stated to the police that he would stop texting and emailing his wife and would even delete her contact information from his phone so that he would not "accidentally" text or email her again.

5. On October 19, 2015, a Sentencing and Domestic Violence 52-week Status Hearing was held in the Superior Court of California, County of Santa Clara, Case No.

¹ The First Amended Accusation states that respondent was convicted on February 17, 2016; however the documentary evidence indicates that respondent was convicted on December 22, 2014, pursuant to his plea of no contest for violating Penal Code section 273.6, subdivision (a) (violation of a protective order), a misdemeanor, and was sentenced on February 17, 2016.

F1451948. The domestic violence protective order was modified to expire on October 19, 2016.

6. On February 17, 2016, a Minute Order was filed in the Superior Court of California, County of Santa Clara, Case No. F1451948. Respondent provided proof of completion of the 52-week domestic violence program and the court continued the domestic violence protective order issued on October 19, 2015 to remain in effect until its expiration on October 19, 2016. Respondent was also ordered to pay fines in the amount of \$235.

REPORTING OF CONVICTION

7. Pursuant to Business and Professions Code section 10186.2, subdivision (a)(1)(B), effective January 1, 2012, a licensee must notify the Department in writing of any misdemeanor conviction within 30 days of the conviction.

8. Complainant is alleging that respondent did not notify the Department of his conviction within 30 days of February 17, 2016, the date of sentencing.

9. On February 29, 2016, respondent submitted a Salesperson Renewal Application Certified by licensee via eLicensing. Respondent answered "NO" to Question number 13, which states:

WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU EVER BEEN CONVICTED (SEE PARAGRAPH ON PAGE 1) OF ANY VIOLATION OF THE LAW AT THE MISDEMEANOR OR FELONY LEVEL? IF YES, COMPLETE ITEM 19 WITH INFORMATION ON EACH CONVICTION.

10. On November 8, 2017, respondent provided the Department with an Interview Information Statement, and stated the following:

I am not completing rest of this form due to unfair personal questions. I should not answer, because I did not [do] anything wrong to my license requirement and or my professional business.

Respondent also provided the Department the Conviction Detail Report stating that the information was in the Department's records.

Respondent's Evidence

11. Respondent is originally from Turkey and has lived in the United States since 1990. He is a trained engineer and is a licensed contractor. Respondent is also a part owner

of a restaurant in San Jose, California. Respondent works both as a real estate salesperson and as a general contractor.

12. In 2010, respondent met his wife, (a Moroccan living in Canada) through a dating service on the Internet. On April 5, 2010, respondent and his wife married in Morocco.

13. On February 29, 2012, respondent became a licensed real estate salesperson and initially worked for Ritchie Commercial. In April 2013, respondent started working for Victor Hassan, his employing broker at Vandermade in San Jose, California.

14. Respondent testified credibly that in 2013, his wife had two miscarriages and became very depressed. After the miscarriages respondent saw his wife's mental state change and he witnessed his wife suffer several different personality disorders. It was during this period of time that respondent's wife appeared to have a mental breakdown. Respondent called his wife's family in Canada seeking help and advice and was informed that she has had mental health issues all during her childhood prior to meeting respondent. Respondent tried to seek medical attention for his wife during the same period of time that she called the police and had an emergency restraining order placed on him for threatening her life by saying he would "cut her head off." During this period of time that his wife was having a mental breakdown he was trying to save his marriage because he loved his wife. He denies that he said that he would "cut her head off." He does admit that he continued to call her, text her, and email her after a temporary restraining order was issued and after the protective order was issued, but he stated that he did not receive the restraining orders and was not aware that the restraining orders were in effect prior to going to court. Respondent also did not think he was violating a court order but trying to save his marriage. Respondent attended the 52-week domestic violence class as ordered by the court and paid his fines. Respondent learned how to manage his anger from the 52-week domestic violence class.

15. In December 2014, respondent and his wife reconciled and on November 9, 2016, their son was born. Respondent, his wife and 19-month old son live together and are happy and doing well. Respondent's wife is currently receiving therapy, and is on medication. Respondent admits that they went through some hard times, but they are doing well now.

16. Respondent admits that he did not notify the Department in writing of his conviction within 30 days of the conviction because he was confused about whether he had a conviction, which was reportable to the Department or whether his conviction was not valid until he received written notice of the conviction. Respondent testified that he asked his employing broker what he should do and apparently his broker did not give him correct advice. Therefore he did not disclose his conviction when he renewed his real estate salesperson license in February 2016, or within 30 days of his conviction, which was on December 22, 2014.

17. Respondent is the sole financial provider for himself, his wife, and son, and he also provides financial assistance to his mother who lives in Turkey.

18. Respondent provided four character letters on his behalf. The first letter, dated June 26, 2018, is from Victor Hassan, a Partner of Vandermade, and respondent's employing broker. Hassan states that respondent is an "exemplary real estate agent at our company." Hassan further states that respondent is "the perfect agent: hard working, detail oriented, good with people, and a knack for closing the deal. His excellent work and consistent results proves that he comes highly recommended." The second letter, dated June 27, 2018, is from Ahmad Sobouti, a real estate salesperson who has known respondent since 1995. Sobouti states in his letter:

As an individual, [respondent] is polite, inquisitive, and proactive. He has always been a great support during negotiations and accomplishes everything with a noticeable degree of integrity and competency that is difficult to find these days.

I recommend [respondent] for great hardworking, honest and respectful individual—this coming from a real estate agent point of view—as I find it hard to imagine someone else doing a better job than him.

The third letter, undated, is from Ahmet Kahya, a friend of respondent's for many years. He states in his letter:

[Respondent] has consistently proven himself to be a loyal, hardworking and dedicated individual in both his personal and professional life. Having known him for many years, I can say that he is a person who leads by example. Both his loved ones and his [colleagues] in his profession look to [respondent] and are inspired by his discipline and drive.

The fourth letter, dated June 23, 2017,² is from Ysar Cinkilic, is a friend from respondent's hometown in Turkey, who has known respondent for over seven years. Cinkilic states in his letter that respondent is "trustful, friendly, helpful to his friends, family oriented, organized and responsible individual." Cinkilic also states that respondent "is an outstanding and active citizen with a great commitment to community."

19. Respondent has worked in his community for over 18 years on a monthly basis to provide shelter to the homeless and to work with other local businesses and professionals to feed and clothe the homeless. Respondent has also volunteered his services to help build an addition to the Evergreen Church in San Jose, California.

² The date of this letter may be incorrect and should be June 23, 2018.

Costs

20. Complainant requests reimbursement for the costs of investigation of this matter in the amount of \$1,964.50. In support of the request for investigative costs, complainant submitted a certified declaration. In the absence of evidence to the contrary, this amount is found to be reasonable.

21. Complainant requests reimbursement for costs of enforcement/prosecution of this matter in the amount of \$489.50. In support of the request for enforcement/prosecution costs, complainant submitted a certified declaration. In the absence of evidence to the contrary, this amount is found to be reasonable.

LEGAL CONCLUSIONS

1. The burden of proof in this matter is on complainant to show by clear and convincing evidence that respondent's license should be suspended or revoked. (*Ettinger v. Board of Medical Quality Assurance* (1982) 135 Cal.App.3d 853; 855-856.)

Causes for Discipline

2. Business and Professions Code section 490, subdivision (a), authorizes the suspension or revocation of a license if the licensee has been convicted of a crime that is substantially related to the qualifications, functions or duties of the licensed business or profession. Business and Professions Code section 10177, subdivision (b), which is specific to real estate licenses, authorizes the suspension or revocation of a license if the licensee has been convicted of a crime that is substantially related to the qualification, functions and duties of a licensee of the Department of Real Estate. Respondent's conviction of violation of a protective order is substantially related because it involves the contempt of court or willful failure to comply with a court order. (Cal. Code Regs., tit.10, § 2910, subd. (a)(9).)

Cause exists to suspend or revoke respondent's salesperson's license by reason of the matter set forth in Findings 3 through 6.

3. Business and Professions Code section 10177, subdivision (d), authorizes the commissioner to suspend or revoke the license of a real estate licensee who has willfully disregarded or violated the Real Estate Law, or the rules and regulations of the commissioner for the administration and enforcement of the Real Estate Law.

4. Business and Professions Code section 10186.2, subdivision (a)(1)(B),³ requires a licensee to report to the Department any conviction of the licensee, including any

³ Paragraph Number 7 in the First Amended Accusation erroneously alleges "(failure to report in writing a disciplinary action taken against the licensee by another licensing entity

verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor, and section 10186.2, subdivision (a)(2), requires that the licensee report in writing within 30 days of the date of the conviction. Failure to make a written report within 30 days authorizes the commissioner to discipline the license of a real estate licensee.

Cause exists to suspend or revoke respondent's salesperson's license due to respondent's failure to provide written notification to the Department of his misdemeanor conviction within 30 days of his conviction, as set forth in Findings 7 through 10. The evidence demonstrated, however, that respondent's failure was not intentional. It was caused by negligence in not understanding that he was convicted of a misdemeanor and not understanding that he was obligated under the real estate law to disclose his conviction within 30 days of his conviction.

5. Business and Professions code section 10177, subdivision (a), authorizes the commissioner to suspend or revoke the license of a real estate licensee who has procured or attempted to procure a real estate license or license renewal by fraud, misrepresentation, or deceit by making a material misstatement of fact in a license renewal.

Cause exists to suspend or revoke respondent's salesperson's license due to respondent's failure to disclose his misdemeanor conviction on his license renewal, as set forth in Findings 3 through 6, 9 and 10.

Assessment of Rehabilitation

6. Respondent must demonstrate that he is sufficiently rehabilitated from his conviction so that it would not be contrary to the public interest to allow him to continue to perform the duties of a real estate salesperson. California Code of Regulations, title 10, section 2912, sets forth criteria for determining the rehabilitation of a licensee in a disciplinary proceeding. Factors to be considered in evaluating rehabilitation include the following: The passage of two years since the date of the most recent criminal conviction (subd. (a)); the expungement of the conviction (subd. (c)); the successful completion of probation (subd. (e)); the payment of fines imposed in connection with the criminal conviction (subd. (g)); and a change in attitude from that which existed at the time of the conviction (subd. (m)).

7. Respondent's conviction was three and one half years ago, and he has successfully completed the required 52-week domestic violence class and paid his fines. Respondent understands that he is responsible for his actions regarding the violation of the protective order and he has since learned to better control his anger after attending the 52-week domestic violence program.

of authority within 30 days)" in apparent reference to Business and Professions Code section 10186.2, subdivision (a)(1)(C), but the section cited should be Business and Professions Code section 10186.2, subdivision (a)(1)(B).

8. It is noted that respondent has had a real estate salesperson license for over six years and he has no prior history of license discipline. He is well respected in the real estate community. At hearing respondent was confused about the date of conviction of violating a protective order, however he accepted the serious nature of his conviction and appeared to sincerely regret his behavior. Respondent denies that he threatened his wife with "cutting off her head," and he asserts that he loves his wife and he only violated the protective order because he wanted to save his marriage. Respondent was emotionally distraught during the separation from his wife and did not understand her own mental health issues and was not prepared to calmly support his wife while she was experiencing emotional stress due to her recent miscarriages and prior mental health issues. Since the conviction, respondent and his wife have reconciled and respondent's wife has been in therapy and is taking medication. Respondent and his wife have also welcomed a new baby and are extremely happy and doing well.

The purpose of this proceeding is not to further punish respondent for his criminal conduct, and his failure to disclose his conviction, but to ensure that real estate licensees will be worthy of the fiduciary responsibilities they bear. Although it would be against the public interest to allow respondent to hold an unrestricted real estate salesperson license at this time, it would not be against the public interest to grant respondent a restricted real estate salesperson license, under appropriate terms and conditions. These terms and conditions shall be in force for two years. This will protect the public as respondent continues with his rehabilitation.

Costs

9. Complainant requests reimbursement of the costs of investigation and enforcement pursuant to Business and Professions Code section 10106. Section 10106 provides that in any order issued in resolution of a disciplinary proceeding, the commissioner may ask the administrative law judge to direct a licensee found to have committed a violation to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

In *Zuckerman v. State Board of Chiropractic Examiners* (2002) 29 Cal.4th 32, the California Supreme Court set forth guidelines for determining whether the costs should be assessed in the particular circumstances of each case. Respondent did not establish a basis for reducing the costs.

ORDER

All licenses and licensing rights of respondent Ibrahim Yilmaz, under the Real Estate Law, are revoked; provided, however, a restricted real estate salesperson license shall be issued to respondent pursuant to Business and Professions Code section 10156.5, if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this

Decision. The restricted license issued to respondent shall be subject to all the provisions of Business and Professions Code section 10156.7, and to the following limitations, conditions and restrictions imposed under authority of section 10156.6 of that Code:

1. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which is substantially related to respondent's fitness or capacity as a real estate licensee.
2. The restricted license issued to respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two years have elapsed from the effective date of this Decision.
4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department, which shall certify:
 - (a) That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and
 - (b) That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.
5. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

6. Respondent shall pay the Department's costs associated with its investigation and enforcement pursuant to Business and Professions Code section 10106, in the amount of \$2,454.

Respondent shall be permitted to pay these costs in a payment plan approved by the bureau. Respondent's failure to make payments in accordance with any formal agreement entered into with the Department or pursuant to any Decision by the Department shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

DATED: July 19, 2018

DocuSigned by:
Adrienne Miller Contractor
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ADRIENNE J. MILLER
Administrative Law Judge
Office of Administrative Hearings