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Department of Real Estate  
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FILED

MAR 05 2020

DEPARTMENT OF REAL ESTATE  
By B. Nicholas

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

*In the Matter of the Application of*

HARSHA INDIRA DHANANJAY,

Respondent.

H-12426 SF

**STIPULATION AND WAIVER**  
(Per Business and Professions Code § 10100.4)

HARSHA INDIRA DHANANJAY, ("Respondent") does hereby affirm that on October 1, 2018, she applied to the Department of Real Estate ("Department") for a real estate salesperson license and that to the best of her knowledge she satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefore.

FACTUAL BASIS

On or about October 12, 2009, in the Circuit Court of the State of Oregon, County of Washington, Case No.C090825CR, Respondent was convicted of violating Sections 164.055 (Theft), 165.013 (Forgery), 811.540(1A) (attempt to elude police) and five counts of Section 165.803 (Identity Theft) of the Oregon Revised Statutes, felonies.

DISCIPLINE BY OTHER LICENSING AGENCY

On or about October 17, 2016, after a hearing conducted by the California Office of Administrative Hearings, on June 14, 2016, Respondent's application for administrator certification for adult residential facilities was denied and Respondent's license to operate a family child care

1 home was revoked by the Department of Social Services.

2 GROUND FOR DENIAL

3 Respondent's administrative disciplines constitute grounds under Section 10177(f)  
4 of the Code for the denial of Respondent's application for an unrestricted real estate license.

5 TERMS AND CONDITIONS

6 Respondent understands that the Real Estate Commissioner ("Commissioner") may  
7 hold a hearing regarding the matters discussed above for the purpose of requiring further proof of  
8 Respondent's honesty and truthfulness and to prove other allegations therein, or that the  
9 Commissioner may waive the hearing and grant Respondent a restricted real estate salesperson  
10 license based upon this Stipulation and Waiver. Respondent also understands that by entering into  
11 this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that  
12 Respondent has failed to make a showing that Respondent meets all the requirements for issuance  
13 of a real estate salesperson license thereby justifying the denial of the issuance to her of an  
14 unrestricted real estate salesperson license.

15 Respondent hereby admits the above Factual Basis is true and correct and requests  
16 that the Commissioner issue a restricted real estate salesperson license to Respondent under the  
17 authority of section 10100.4 and 10156.5 of the Code. I understand that any such restricted license  
18 will be issued subject to the provisions of and limitations of sections 10156.6 and 10156.7 of the  
19 Code.

20 Respondent is aware that by signing this Stipulation and Waiver, and if this  
21 Stipulation and Waiver is accepted by the Commissioner, Respondent is waiving her right to a  
22 hearing and the opportunity to present evidence at the hearing to establish his rehabilitation in order  
23 to obtain an unrestricted real estate salesperson license. Respondent is not waiving her right to a  
24 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation  
25 and Waiver is not accepted by the Commissioner.

26 Respondent agrees that by signing this Stipulation and Waiver, the conditions,  
27 limitations, and restrictions imposed on Respondent's restricted license, identified below, may be

1 removed only by filing a Petition for Removal of Restrictions ("petition") with the Commissioner,  
2 and that Respondent's petition must follow the procedures set forth in Government Code Section  
3 11522. Respondent understands that this Stipulation and Waiver, which was executed pursuant to  
4 the authority under section 10100.4 and 10156.5 of the Code, is considered discipline by  
5 Department.

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

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

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

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

18 2. Respondent shall not be eligible to petition for the issuance of an unrestricted  
19 real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to  
20 the restricted real estate license until two (2) years have elapsed from the date of issuance of the  
21 restricted real estate license to Respondent. Respondent shall not be eligible to apply for any  
22 unrestricted licenses until all restrictions attaching to the license have been removed.

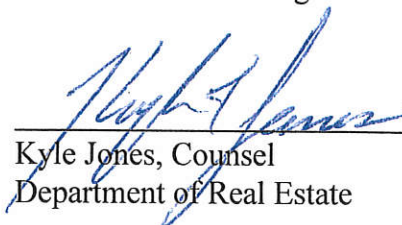
23 3. With the application for license, or with the application for transfer to a new  
24 employing broker, Respondent shall submit a statement signed by the prospective employing broker  
25 on a form approved by the Department wherein the employing broker shall certify as follows:

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

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

4           4.       Respondent shall notify the Commissioner in writing within 72 hours of any  
5 arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post  
6 Office Box 137007, Sacramento, CA 95813-7000. The letter shall set forth the date of  
7 Respondent's arrest, the crime for which Respondent was arrested and the name and address of the  
8 arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute  
9 an independent violation of the terms of the restricted license and shall be grounds for the  
10 suspension or revocation of that license.

11       2/4/20  
12       Dated

  
\_\_\_\_\_  
Kyle Jones, Counsel  
Department of Real Estate

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

22  
23       2/3/20  
24       Dated

  
\_\_\_\_\_  
HARSHA INDIRA DHANANJAY, Respondent

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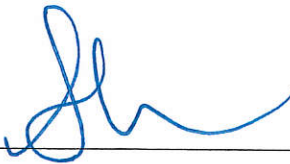
1 of Respondent need not be called and that it will not be inimical to the public interest to issue a  
2 restricted real estate salesperson license to Respondent.

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

7 This Order is effective immediately.

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9 IT IS SO ORDERED 3/2/20.

10 SANDRA KNAU  
11 ACTING REAL ESTATE COMMISSIONER

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