

1 Department of Real Estate  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007

4 Telephone: (916) 576-8700

**FILED**

JUN 10 2020

DEPARTMENT OF REAL ESTATE  
By B. Nicholas

5  
6  
7  
8 **DEPARTMENT OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of*

12 JUAN GABRIEL FLORES GALINDO,

13 Respondent.

H-12433 SF

**STIPULATION AND WAIVER**

(Per Business and Professions Code § 10100.4)

14  
15 JUAN GABRIEL FLORES GALINDO, ("Respondent") does hereby affirm that  
16 on January 22, 2019, he applied to the Department of Real Estate ("Department") for a real estate  
17 salesperson license and that to the best of his knowledge he satisfied all of the statutory  
18 requirements for the issuance of the license, including the payment of the fee therefore.

19 **FACTUAL BASIS**

20 On or about December 19, 2011, after a hearing before the Office of  
21 Administrative Hearings, case No. 2011090015, in which the Respondent was afforded all  
22 applicable due process rights and protections, the Administrative Law Judge issued a proposed  
23 decision revoking Respondent's Smog Check Test Only Station License number TC 236016,  
24 Smog Check Test Only Station License number TC 263320, and Advanced Emission Specialist  
25 Technician License number E151481. Effective February 12, 2012, the Deputy Director of Legal  
26 Affairs for the Department of Consumer Affairs, adopted the Proposed Decision of the  
27 Administrative Law Judge.



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

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

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

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

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

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

25 3. With the application for license, or with the application for transfer to a  
26 new employing broker, Respondent shall submit a statement signed by the prospective employing  
27

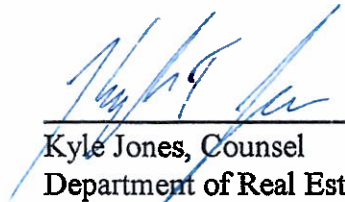
1 broker on a form approved by the Department wherein the employing broker shall certify as  
2 follows:

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

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

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

15  
16 4/21/20  
17 Dated


15  
16   
17 Kyle Jones, Counsel  
18 Department of Real Estate

18 \*\*\*

19 Respondent has read the Stipulation and Waiver and its terms are understood by  
20 Respondent and agreeable and acceptable to Respondent. Respondent understands that  
21 Respondent is waiving rights given to Respondent by the California Administrative Procedure  
22 Act (including, but not limited to, California Government Code sections 11504, 11506, 11508,  
23 11509, and 11513), and willingly, intelligently, and voluntarily waives those rights, including,  
24 but not limited to, the right to a hearing on a Statement of Issues at which he would have the right  
25 to cross-examine witnesses against Respondent and to present evidence in defense and mitigation  
26 of the charges.  
27

1 Respondent can signify acceptance and approval of the terms and conditions of  
2 this Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed  
3 by Respondent, to the Department counsel assigned to this case. Respondent agrees,  
4 acknowledges and understands that by electronically sending the Department a scan of  
5 Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the scan  
6 by the Department shall be binding on Respondent as if the Department had received the original  
7 signed Stipulation and Waiver.

8  
9 04-18-2020  
10 Dated

  
11 JUAN GABRIEL FLORES GALINDO,  
Respondent

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

16 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson  
17 license be issued to Respondent JUAN GABRIEL FLORES GALINDO, if Respondent has  
18 otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be  
19 limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

20 This Order is effective immediately.

21 IT IS SO ORDERED 6-3-20

22 DOUGLAS R. McCAULEY  
23 REAL ESTATE COMMISSIONER

24   
25