

1 Department of Real Estate
2 P.O. Box 137007
3 Sacramento, CA 95813-7007
4
5 Telephone: (916) 576-8700
6
7

FILED
OCT 28 2021
DEPARTMENT OF REAL ESTATE
By *J. Taggart*

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

10 * * *

11 In the Matter of the Application of)

) DRE No. H-12522 SF

12 JERRY YUN FEI WANG,)

) **STIPULATION AND WAIVER**

13 Respondent.)
14)

15 It is hereby stipulated by and between JERRY YUN FEI WANG ("Respondent"), represented
16 by Frank Buda, and the Complainant, acting by and through Kyle Jones, Counsel for the
17 Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of
18 the Statement of Issues filed on March 3, 2021 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues and
20 the Statement to Respondent filed by the Department 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 this 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 he may in his discretion waive the hearing and grant Respondent a restricted real estate
25 salesperson license based upon this Stipulation and Waiver. Respondent also understands that by
26 filing the Statement of Issues in this matter the Commissioner is shifting the burden to Respondent
27 to make a satisfactory showing that Respondent meets all the requirements for issuance of a real

1 estate salesperson license. Respondent further understands that by entering into this Stipulation and
2 Waiver, Respondent will be stipulating that the Commissioner has found that Respondent has failed
3 to make such a showing, thereby justifying the denial of the issuance to Respondent of an
4 unrestricted 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 Section 10156.5 of
8 the Business and Professions Code ("the 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 to establish
11 Respondent's rehabilitation in order to obtain an unrestricted real estate salesperson license if this
12 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving
13 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted real
14 estate salesperson license if this Stipulation and Waiver is not accepted by the Commissioner.

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

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

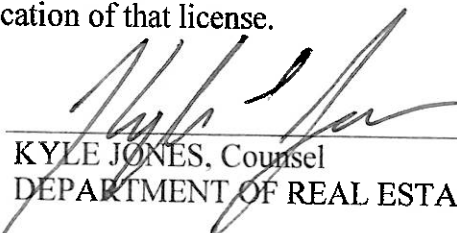
- 23 1. The restricted real estate salesperson license shall not confer any property right in the
24 privileges to be exercised including the right of renewal, and the Commissioner may by
25 appropriate order suspend the right to exercise any privileges granted under the restricted
26 license in the event of:

27 ///

- a. Respondent's conviction (including a plea of nolo contendere) of a crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
 - b. The receipt of evidence that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or conditions attaching to the restricted license.
2. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until four (4) years have elapsed from the date of issuance of the restricted license to Respondent. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.
3. With the application for license, or with the application for transfer to a new employing broker, Respondent shall submit a statement signed by the prospective employing broker on a form approved by the Department wherein the employing broker shall certify as follows:
 - a. That the broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
 - b. That the broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.
4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice

1 shall constitute an independent violation of the terms of the restricted license and shall be
2 grounds for the suspension or revocation of that license.

3 7/23/21
4 DATED

5 
KYLE JONES, Counsel
DEPARTMENT OF REAL ESTATE

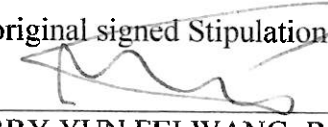
6 * * *

7 Respondent has read this Stipulation and Waiver, discussed it with Respondent's counsel, and
8 its terms are understood by Respondent and are agreeable and acceptable to Respondent.
9 Respondent understands that Respondent is waiving rights given to Respondent by the
10 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and
11 11513 of the Government Code), and Respondent willingly, intelligently and voluntarily waives
12 those rights, including the right of a hearing on the Statement of Issues at which Respondent would
13 have the right to cross-examine witnesses against Respondent and to present evidence in defense
14 and mitigation of the charges.

15 Respondent can signify acceptance and approval of the terms and conditions of
16 this Stipulation and Waiver by sending a copy of the signature page, as actually signed by
17 Respondent, to the Department at fax number (916) 576-7840 or by e-mail to
18 kyle.jones@dre.ca.gov. Respondent agrees, acknowledges, and understands that by
19 electronically sending to the Department a copy of Respondent's actual signature as it appears on
20 the Stipulation and Waiver, that receipt of the copy by the Department shall be as binding on
21 Respondent as if the Department had received the original signed Stipulation and Waiver.

22 8/11/21

23 DATED

24 
JERRY YUN FEI WANG, Respondent

25 * * *

26 *I have reviewed this Stipulation and Waiver as to form and content and have
27 advised my client accordingly.*

28 8-16-21
29 DATED

30 
FRANK BUDA
Attorney for Respondent

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

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

9 This Order is effective immediately.

10 IT IS SO ORDERED 10.26.21.

11 DOUGLAS R. McCAULEY
12 REAL ESTATE COMMISSIONER

13
14 Douglas R. McCauley
15
16
17
18
19
20
21
22
23
24
25
26
27