

1 TAYLOR HERRLINGER, Counsel (314791)
2 Department of Real Estate
3 651 Bannon Street, Suite 507
4 Sacramento, CA 95811
5 Telephone: (916) 737-4498
6 Email: Taylor.Herrlinger@dre.ca.gov

FILED

MAY 27 2025

DEPARTMENT OF REAL ESTATE

By

J. Taggart

7 BEFORE THE DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

10 In the Matter of the Application of

No. H-12741 SF

12 JAVIER ALEJANDRO SANCHEZ,

STIPULATION AND WAIVER

13 Respondent.

15 It is hereby stipulated by and between JAVIER ALEJANDRO SANCHEZ ("Respondent")
16 and Respondent's attorney, Joshua A. Rosenthal, and the Complainant, acting by and through
17 Taylor Herrlinger, Counsel for the Department of Real Estate ("Department"), as follows for the
18 purpose of settling and disposing of the Statement of Issues filed on September 19, 2024, in this
19 matter:

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

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

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

10 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving
11 Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish
12 Respondent's rehabilitation in order to obtain an unrestricted real estate salesperson license if this
13 Stipulation and Waiver is accepted by the Commissioner. However, Respondent is not waiving
14 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted
15 license if this Stipulation and Waiver is not accepted by the Commissioner.

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

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

- 23 1. The restricted license shall not confer any property right in the privileges to be exercised
24 including the right of renewal, and the Commissioner may by appropriate order suspend
25 the right to exercise any privileges granted under the restricted license in the event of:
 - 26 a. Respondent's conviction (including a plea of nolo contendere) of a crime which bears
27 a substantial relationship to Respondent's fitness or capacity as a real estate licensee;

1 or

2 b. The receipt of evidence that Respondent has violated provisions of the California Real
3 Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
4 conditions attaching to the restricted license.

5 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate
6 license nor the removal of any of the conditions, limitations, or restrictions attaching to the
7 restricted license until four (4) years have elapsed from the date of issuance of the restricted
8 license to Respondent. Respondent shall not be eligible to apply for any unrestricted
9 licenses until all restrictions attaching to the license have been removed.

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

14 a. That the broker has read the Statement of Issues which is the basis for the issuance of
15 the restricted license; and

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

19 4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by
20 sending a certified letter to the Commissioner at the Department of Real Estate, Flag
21 Section, 651 Bannan Street, Suite 504, Sacramento, CA 95811. The letter shall set forth
22 the date of Respondent's arrest, the crime for which Respondent was arrested and the name
23 and address of the arresting law enforcement agency. Respondent's failure to timely file
24 written notice shall constitute an independent violation of the terms of the restricted license
25 and shall be grounds for the suspension or revocation of that license.
26
27

1 April 1, 2025

Taylor Herrlinger

2
3 Dated

TAYLOR HERRLINGER, Counsel
DEPARTMENT OF REAL ESTATE

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5 * * *

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

14 Respondent shall send a hard copy of the original signed Stipulation and Waiver to:
15 Department of Real Estate, Legal Section, 651 Bannan Street, Suite 507, Sacramento, CA 95811.
16 In the event of time constraints before an administrative hearing, Respondent can signify
17 acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a
18 scanned copy of the signature page, as actually signed by Respondent, to the Department counsel
19 assigned to this case at taylor.herrlinger@dre.ca.gov. Respondent agrees, acknowledges and
20 understands that by electronically sending the Department a scan of Respondent's actual signature
21 as it appears on the Stipulation and Waiver, that receipt of the scan by the Department shall be
22 binding on Respondent as if the Department had received the original signed Stipulation and
23 Waiver.

24
25 3-31-25

26 Dated



JAVIER ALEJANDRO SANCHEZ, Respondent

1 * * *

2 *I have reviewed this Stipulation and Agreement as to form and content and have*
3 *advised my client accordingly.*

4
5 3/31/25

6 Dated

7
8 
9 JOSHUA A. ROSENTHAL
10 Attorney for Respondent

11 * * *

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

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

20 This Order is effective immediately.

21 IT IS SO ORDERED

22 5/21/2025

23 CHIKA SUNQUIST
24 Real Estate Commissioner

25 
26 By Marcus L. McCarther
27 Chief Deputy Real Estate Commissioner