

FILED

JUN 19 1987

DEPARTMENT OF REAL ESTATE
BY A. Medved

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
ELEANOR ROSE SHORTER, etc.,)
Respondent.)

NO. H-23011 LA
STIPULATION AND WAIVER

I, ELEANOR ROSE SHORTER, respondent herein,

do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the license fee.

I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate on June 9, 1987, in connection with my application for license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my

1 honesty and truthfulness and to prove other allegations therein,
2 or that he may in his discretion waive the hearing and grant me
3 a restricted real estate salesperson license based upon this
4 Stipulation and Waiver.

5 I hereby admit that the allegations of the Statement
6 of Issues filed against me are true and correct and request that
7 the Real Estate Commissioner in his discretion issue a restricted
8 real estate salesperson license to me under the authority of
9 Section 10156.5 of the Business and Professions Code.

10 I am aware that by signing this Stipulation and Waiver,
11 I am waiving my right to a hearing and the opportunity through
12 a hearing to obtain an unrestricted real estate license at this
13 time if this Stipulation and Waiver is accepted by the Real
14 Estate Commissioner. However, I am not waiving my right to a
15 hearing and to further proceedings to obtain a restricted or
16 unrestricted license if this Stipulation and Waiver is not
17 accepted by the Commissioner.

18 I further understand that the following conditions,
19 limitations and restrictions will attach to a restricted license
20 issued by the Department of Real Estate pursuant hereto:

- 21 1. The license shall not confer any property right
22 in the privileges to be exercised, and the Real
23 Estate Commissioner may by appropriate order
24 suspend the right to exercise any privileges
25 granted under this restricted license in the
26 event of:

- a. The conviction of respondent (including a

1 plea of nolo contendere) to a crime which bears
2 a significant relation to respondent's fitness
3 or capacity as a real estate licensee; or
4 b. The receipt of evidence that respondent has
5 violated provisions of the California Real
6 Estate Law, the Subdivided Lands Law,
7 regulations of the Real Estate Commissioner
8 or conditions attaching to this restricted
9 license.

10 2. Respondent shall not be eligible to apply for the
11 issuance of an unrestricted real estate license nor
12 the removal of any of the conditions, limitations
13 or restrictions attaching to the restricted license
14 until one year has elapsed from the date of
15 issuance of the restricted license to respondent.

16 3. With the application for license, or with the
17 application for transfer to a new employing broker,
18 respondent shall submit a statement signed by the
19 prospective employing broker on a form approved by
20 the Department of Real Estate wherein the
21 employing broker shall certify as follows:

- 22 a. That broker has read the Statement of Issues
23 which is the basis for the issuance of
24 the restricted license; and
25 b. That broker will carefully review all trans-
26 action documents prepared by the restricted
27 licensee and otherwise exercise close

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supervision over the licensee's performance
of acts for which a license is required.

DATED this 17th day of June, 1987.

Eleanor Rose Shorter
Respondent, ELEANOR ROSE SHORTER

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

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

DATED this 17th day of June, 1987.

JAMES A. EDMONDS, JR.
Real Estate Commissioner

By: John R. Liberator
JOHN R. LIBERATOR
Chief Deputy Director

*Sacks
plus*

MARILYN L. MOSHER, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 620-4790

FILED

JUN-9 1987

DEPARTMENT OF REAL ESTATE
BY *K. Stutehold*

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)
ELEANOR ROSE SHORTER, aka)
Eleanor Shorter, aka)
Eleanore Shorter, aka)
Eleanor Rose Sapp, aka)
Eleanor Sapp,)
Respondent.)

No. H-23011 LA

STATEMENT OF ISSUES

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, requires further proof of the honesty and truthfulness of ELEANOR ROSE SHORTER, aka Eleanor Shorter, aka Eleanore Shorter, aka Eleanor Rose Sapp, aka Eleanor Sapp (hereinafter referred to as respondent), in connection with respondent's application for a real estate salesperson license, filed on December 6, 1986, and in relation thereto, will consider the following:

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I

On or about June 10, 1985, in the Municipal Court of Riverside Judicial District, County of Riverside, State of California, respondent was convicted of violating Welfare and Institutions Code Section 11483 (False statement to obtain benefits), and Penal Code Section 396 (Unlawfully acquire and possess food stamps), each such crime a crime involving moral turpitude.

II

On or about May 28, 1980, in the Municipal Court of Riverside Judicial District, County of Riverside, State of California, respondent was convicted on her plea of guilty of violating Penal Code Sections 484 and 490.5 (Theft of property from a merchant), a crime involving moral turpitude.

III

On or about February 15, 1980, in the Municipal Court of Riverside Judicial District, County of Riverside, State of California, respondent was convicted of violating Welfare and Institution Code Sections 11483 and 18910 (False statement to obtain benefits, and Unlawfully acquire and possess food stamps), each such crime a crime involving moral turpitude.

IV

The crimes of which respondent was convicted bear a substantial relationship to the qualifications, functions or duties of a real estate licensee.

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V

Respondent's convictions, as alleged above, are grounds for denying respondent's application for a real estate license under Sections 480 and 10177(b) of the Business and Professions Code of the State of California.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the Government Code.

Dated at Los Angeles, California
this 9th day of June, 1987.


Deputy Real Estate Commissioner

cc: Eleanor Rose Shorter
DeVonne Wiley Armstrong
Sacto.
CGT