

FILED

SEP 22 1988

DEPARTMENT OF REAL ESTATE

BY *C. Bay*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	
)	NO. H- 23426 LA
SHELLEY ANN GARZA,)	
)	<u>STIPULATION AND WAIVER</u>
)	
Respondent.)	

I, SHELLEY ANN GARZA, 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 fee therefor.

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 August 22, 1988, 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 honesty and truthfulness and to prove other allegations therein, or that

1 he may in his discretion waive the hearing and grant me a
2 restricted real estate salesperson license based upon this
3 Stipulation and Waiver.

4 I hereby admit that the allegations of the Statement of
5 Issues filed against me are true and correct and request that the
6 Real Estate Commissioner in his discretion issue a restricted real
7 estate salesperson license to me under the authority of Section
8 10156.5 of the Business and Professions Code. I understand that
9 any such restricted license will be issued subject to and be
10 limited by Section 10153.4 of the Business and Professions Code.

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

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

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

nolo contendere) to a crime which bears a significant relation 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 Real Estate Commissioner or conditions attaching to this restricted license.

2. Respondent shall not be eligible to apply 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 one year has elapsed from the date of issuance of the restricted license to respondent.

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 of Real Estate wherein the employing broker shall certify as follows:

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

b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close

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

3 4. Respondent shall within eighteen (18) months of the
4 issuance of the restricted license under the
5 provisions of Section 10153.4 of the Business and
6 Professions Code, submit evidence satisfactory to
7 the Commissioner of successful completion, at an
8 accredited institution, of two of the courses listed
9 in Section 10153.2, other than real estate
10 principles, advanced legal aspects of real estate,
11 advanced real estate finance or advanced real estate
12 appraisal. If respondent fails to present satis-
13 factory evidence of successful completion of said
14 courses, the restricted license shall be
15 automatically suspended effective eighteen (18)
16 months after issuance of the restricted license.
17 Said suspension shall not be lifted until respondent
18 has submitted the required evidence of course
19 completion and the Commissioner has given written
20 notice to the respondent of lifting of the
21 suspension.

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DATED this 3 day of Sept. 1988.


Respondent, SHELLEY ANN GARZA

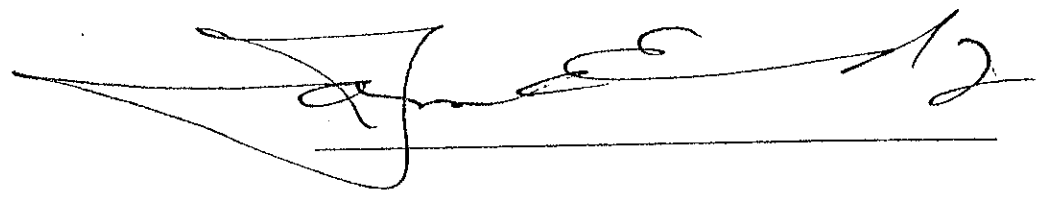
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I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of respondent need not be 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 SHELLEY ANN GARZA 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 20TH day of September 1988.

JAMES A. EDMONDS, JR.
Real Estate Commissioner



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Department of Real Estate
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Los Angeles, CA 90012
(213) 620-4790

FILED
AUG 22 1988
DEPARTMENT OF REAL ESTATE
BY C. Berry

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)
SHELLEY ANN GARZA,)
Respondent.)

No. H-23426 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 SHELLEY ANN GARZA (hereinafter referred to as respondent), in connection with respondent's application for a real estate salesperson license, filed on or about April 25, 1988, and in relation thereto, will consider the following:

I

Respondent, pursuant to the provisions of Section 10153.3 of the Business and Professions Code, made application to the Department of Real Estate of the State of California for a real estate salesperson license on or about April 25, 1988, with the

1 knowledge and understanding that any license issued as a result
2 of said application would be subject to the conditions of
3 Section 10153.4 of the Business and Professions Code.

4 II

5 On or about July 2, 1986, in the Municipal Court of Downey
6 Judicial District, County of Los Angeles, State of California,
7 respondent was convicted of violating Penal Code Section 484
8 (petty theft), a crime involving moral turpitude.

9 III

10 The crime of which respondent was convicted bears a
11 substantial relationship to the qualifications, functions or
12 duties of a real estate licensee.

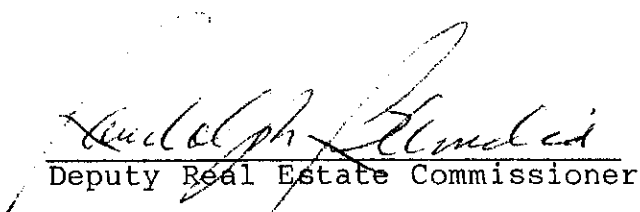
13 IV

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

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1 These proceedings are brought under the provisions of Section
2 10100, Division 4 of the Business and Professions Code of the
3 State of California and Sections 11500 through 11528 of the
4 Government Code.

5 Dated at Los Angeles, California
6 this 22nd day of August, 1988.

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9 Deputy Real Estate Commissioner

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cc: Shelley Ann Garza
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 RD

ceb