

127-6 1994

*Joseph Raymond Markowitz*  
CALIFORNIA REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of )  
JOSEPH RAYMOND MARKOWITZ, ) No. H-25788 LA  
Respondent. )  
STIPULATION AND WAIVER

I, JOSEPH RAYMOND MARKOWITZ, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate broker 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 April 21, 1994, in connection with my application for a real estate broker 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 he may in his discretion waive the hearing and grant me a restricted real estate broker license based upon this Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the requirements for issuance of a real estate broker license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has found

1 that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted  
2 real estate broker license.

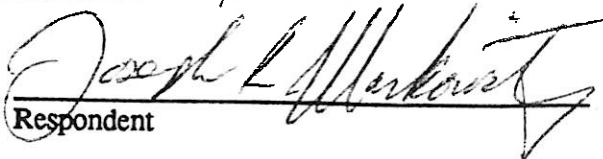
3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and  
4 request that the Real Estate Commissioner in his discretion issue a restricted real estate broker license to me  
5 under the authority of Section 10156.5 of the Business and Professions Code.

6 I am aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is accepted  
7 by the Real Estate Commissioner, I am waiving my right to a hearing and the opportunity to present evidence  
8 at the hearing to establish my rehabilitation in order to obtain an unrestricted real estate broker license. I am  
9 not waiving my right to a hearing and to further proceedings to obtain a restricted or unrestricted license if this  
10 Stipulation and Waiver is not accepted by the Commissioner.

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

- 13 1. The license shall not confer any property right in the privileges to be exercised, and the Real Estate  
14 Commissioner may by appropriate order suspend the right to exercise any privileges granted under  
15 this restricted license in the event of:
- 16 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a  
17 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
- 18 b. The receipt of evidence that respondent has violated provisions of the California Real Estate  
19 Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions  
20 attaching to this restricted license.
- 21 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor  
22 the removal of any of the conditions, limitations or restrictions attaching to the restricted license  
23 until one year has elapsed from the date of issuance of the restricted license to respondent.

24 DATED this 22<sup>nd</sup> day of April, 19 94.

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27 Respondent

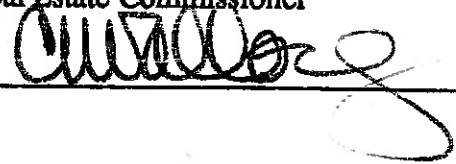
1 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by  
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and  
3 truthfulness of respondent need not be called and that it will not be inimical to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

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

9 This Order is effective immediately.

10 DATED this 3<sup>rd</sup> day of May, 19 94.

11 CLARK WALLACE  
12 Real Estate Commissioner

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