

1 Department of Real Estate
2 107 South Broadway, Room 8107
3 Los Angeles, California 90012
4 (213) 897-3937

FILED
DEC - 1 1998
DEPARTMENT OF REAL ESTATE

By CS

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 SIXTO NAVARRETE, JR.,) NO. H-27903 LA
13 Respondent.) STIPULATION AND WAIVER
14 _____)

15 I, SIXTO NAVARRETE, JR., Respondent herein, do hereby
16 affirm that I have applied to the Department of Real Estate for
17 a real estate salesperson license and that to the best of my
18 knowledge I have satisfied all of the statutory requirements for
19 the issuance of the license, including the payment of the fee
20 therefor.

21 I acknowledge that I have received and read the
22 Statement of Issues and the Statement to Respondent filed by
23 the Department of Real Estate on October 27, 1998, in connection
24 with my application for a real estate salesperson license.
25 I understand that the Real Estate Commissioner may hold a
26 hearing on this Statement of Issues for the purpose of requiring
27 further proof of my honesty and truthfulness and to prove other

1 allegations therein, or that he may in his discretion waive the
2 hearing and grant me a restricted real estate salesperson
3 license based upon this Stipulation and Waiver. I also
4 understand that by filing the Statement of Issues in this matter
5 the Real Estate Commissioner is shifting the burden to me to
6 make a satisfactory showing that I meet all the requirements for
7 issuance of a real estate salesperson license. I further
8 understand that by entering into this stipulation and waiver I
9 will be stipulating that the Real Estate Commissioner has found
10 that I have failed to make such a showing, thereby justifying
11 the denial of the issuance to me of an unrestricted real estate
12 salesperson license.

13 I hereby admit that the allegations of the Statement
14 of Issues filed against me are true and correct and request that
15 the Real Estate Commissioner in his discretion issue a
16 restricted real estate salesperson license to me under the
17 authority of Section 10156.5 of the Business and Professions
18 Code. I understand that any such restricted license will be
19 issued subject to and be limited by Section 10153.4 of the
20 Business and Professions Code.

21 I am aware that by signing this Stipulation and
22 Waiver, I am waiving my right to a hearing and the opportunity
23 to present evidence at the hearing to establish my
24 rehabilitation in order to obtain an unrestricted real estate
25 salesperson license if this Stipulation and Waiver is accepted
26 by the Real Estate Commissioner. However, I am not waiving my
27 right to a hearing and to further proceedings to obtain a



1 restricted or unrestricted license if this Stipulation and
2 Waiver is not accepted by the Commissioner.

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

6 1. The license shall not confer any property right in
7 the privileges to be exercised including the right of renewal,
8 and the Real Estate Commissioner may by appropriate order
9 suspend the right to exercise any privileges granted under this
10 restricted license in the event of;

11 a. The conviction of Respondent (including a plea of
12 nolo contendere) to a crime which bears a substantial
13 relationship to Respondent's fitness or capacity as a real
14 estate licensee; or

15 b. The receipt of evidence that Respondent has
16 violated provisions of the California Real Estate Law, the
17 Subdivided Lands Law, Regulations of the Real Estate
18 Commissioner or conditions attaching to this restricted license.

19 2. Respondent shall not be eligible to apply for the
20 issuance of an unrestricted real estate license nor the removal
21 of any of the conditions, limitations or restrictions attaching
22 to the restricted license until one year has elapsed from the
23 date of issuance of the restricted license to Respondent.

24 3. With the application for license, or with the
25 application for transfer to a new employing broker, Respondent
26 shall submit a statement signed by the prospective employing

27



1 broker on a form approved by the Department of Real Estate
2 wherein the employing broker shall certify as follows:

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


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

9 4. Respondent's restricted real estate salesperson
10 license is issued subject to the requirements of Section 10153.4
11 of the Business and Professions Code, to wit: Respondent shall,
12 within eighteen (18) months of the issuance of the restricted
13 license, submit evidence satisfactory to the Commissioner of
14 successful completion, at an accredited institution, of two of
15 the courses listed in Section 10153.2, other than real estate
16 principles, advanced legal aspects of real estate, advanced real
17 estate finance or advanced real estate appraisal. If Respondent
18 fails to timely present to the Department satisfactory evidence
19 of successful completion of the two required courses, the
20 restricted license shall be automatically suspended effective
21 eighteen (18) months after the date of its issuance. Said
22 suspension shall not be lifted unless, prior to the expiration
23 of the restricted license, Respondent has submitted the required
24 evidence of course completion and the Commissioner has given
25 written notice to the Respondent of lifting of the suspension.
26 5. Pursuant to Section 10154, if Respondent has not
27 satisfied the requirements for an unqualified license under



1 Section 10153.4, Respondent shall not be entitled to renew the
2 restricted license, and shall not be entitled to the issuance of
3 another license which is subject to Section 10153.4 until four
4 years after the date of the issuance of the preceding restricted
5 license.

6 DATED this 28th day of October, 1998.

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9 Respondent, SIXTO NAVARRETE, JR.

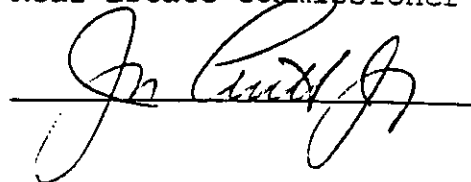
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11 I have read the Statement of Issues filed herein and
12 the foregoing Stipulation and Waiver signed by Respondent. I am
13 satisfied that the hearing for the purpose of requiring further
14 proof as to the honesty and truthfulness of Respondent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

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

24 This Order is effective immediately.

25 DATED: 11/22/98.

26 JIM ANTT, JR.
Real Estate Commissioner

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8 (213) 897-3937
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FILED
OCT 27 1998
DEPARTMENT OF REAL ESTATE

By CB

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In 'the Matter of the Application of)
12 SIXTO NAVARRETE, JR.,) NO. H-27903 LA
13) STATEMENT OF ISSUES
14 Respondent.)

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against SIXTO NAVARRETE, JR. (hereinafter "Respondent"), alleges
18 as follows:

19 I

20 Respondent made application to the Department of Real
21 Estate of the State of California for a conditional real estate
22 salesperson license on or about January 16, 1998. This license
23 was to be subject to Section 10153.4 of the Business and
24 Professions Code.

25 II

26 Complainant, Thomas McCrady, a Deputy Real Estate
27 Commissioner of the State of California, makes this Statement of

1 Issues in his official capacity.

2 III

3 On or about May 30, 1991, in the Superior Court of the
4 State of California for the County of Los Angeles, Respondent
5 was convicted of violating one count of Section 487.1 of the
6 California Penal Code (Grand theft of personal property), a
7 felony, and a crime involving moral turpitude which is
8 substantially related under Section 2910, Title 10, Chapter 6,
9 California Code of Regulations, to the qualifications, functions
10 or duties of a real estate licensee.

11 IV

12 The crime of which Respondent was convicted, as
13 alleged above in Paragraph III, is cause for the denial of
14 Respondent's application for a real estate license under
15 Sections 480(a)(1) and 10177(b) of the California Business and
16 Professions Code.

17 WHEREFORE, the Complainant prays that the above-
18 entitled matter be set for hearing and, upon proof of the
19 charges contained herein, that the Commissioner refuse to
20 authorize the issuance of, and deny the issuance of, a real
21 estate salesperson license to Respondent, and for such other and
22 further relief as may be proper in the premises.

23 Dated at Los Angeles, California
24 this 27th day of October 1998.

25 THOMAS MCCRADY

26 Deputy Real Estate Commissioner

27 cc: Sixto Navarrete, Jr.
Sacto.
CL

