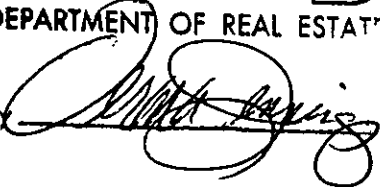


FILED
JUL 18 2000
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

KURT L. BRUGGEMAN,

Respondent

No. H- 28432 LA

STIPULATION AND
WAIVER

I, KURT L. BRUGGEMAN, 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 March 2, 2000, in connection with my application for a real estate salesperson 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 she may in her discretion waive the hearing and grant me a restricted real estate salesperson 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 salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 issuance to me of an unrestricted real estate salesperson 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 her discretion issue a restricted real estate salesperson license
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and
7 Professions Code.

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

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

15 1. The license shall not confer any property right in the privileges to be exercised including the
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
17 to exercise any privileges granted under this restricted license in the event of:

18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or

20 b. The receipt of evidence that respondent has violated provisions of the California Real
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
22 conditions attaching to this restricted license.

23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license
25 until 2 years have elapsed from the date of issuance of the restricted license to respondent.
26
27

1 3. With the application for license, or with the application for transfer to a new employing broker, I
2 shall submit a statement signed by the prospective employing broker on a form approved by the
3 Department of Real Estate wherein the employing broker shall certify as follows:

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

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

9 4. My restricted real estate salesperson license is issued subject to the requirements of Section
10 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18)
11 months of the issuance of the restricted license, to submit evidence satisfactory to the
12 Commissioner of successful completion, at an accredited institution, of two of the courses listed
13 in Section 10153.2, other than real estate principles, advanced legal aspects of real estate,
14 advanced real estate finance, or advanced real estate appraisal. If I fail to timely present to the
15 Department satisfactory evidence of successful completion of the two required courses, the
16 restricted license shall be automatically suspended effective eighteen (18) months after the date
17 of its issuance. Said suspension shall not be lifted unless, prior to the expiration of the restricted
18 license, I have submitted the required evidence of course completion and the Commissioner has
19 given written notice to me of the lifting of the suspension.

20 5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license
21 under Section 10153.4, I shall not be entitled to renew the restricted license, and shall not be
22 entitled to the issuance of another license which is subject to Section 10153.4 until four years
23 after the date of the issuance of the preceding restricted license.

24 DATED this 31st day of May, 2000.

25
26 Kurt S. Buehner
27 Respondent

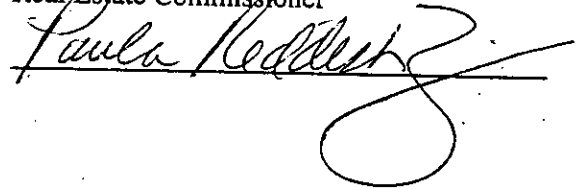
1 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and
3 truthfulness of respondent need not be called and that it will not be inimical to the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

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

9 This Order is effective immediately.

10 DATED this 26th day of June, 2000.

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13 PAULA REDDISH ZINNEMANN
Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

FILED
MAY 24 2000
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of)

KURT L. BRUGGEMAN,)

Respondent.)

Case No. H-28432 LA
OAH No. L-2000030467

NOTICE OF CONTINUED HEARING ON APPLICATION

To the above-named Respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California, on **August 8, 2000**, at the hour of 9:00 a.m., or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: May 24, 2000.

cc: Kurt L. Bruggeman
Robert J. Sullivan, Esq.
Lee & Assoc. Comm. R.E. Servs.
Sacto.
OAH

DEPARTMENT OF REAL ESTATE

By:


SEAN CRAHAN, Counsel

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

*4/20/00
flay*

FILED
APR 17 2000
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of)

KURT L. BRUGGEMAN,)

Respondent.)

By *[Signature]*
Case No. H-28432 LA
OAH No. L-2000030467

NOTICE OF CONTINUED HEARING ON APPLICATION

To the above-named Respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California, on **May 31, 2000**, at the hour of **1:30 p.m.**, or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

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Dated: April 17, 2000.

cc: Kurt L. Bruggeman
Lee & Associates Comm.
R.E. Servs.Inc.-El Toro
Sacto.
OAH

DEPARTMENT OF REAL ESTATE

By:

[Signature]
SEAN CRAHAN, Counsel

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

FILED
APR - 5 2000
DEPARTMENT OF REAL ESTATE

In the Matter of the Application of)

KURT L. BRUGGEMAN,)

Respondent.)

Case No. H-28432 LA
OAH No. L-2000030467

By 

NOTICE OF HEARING ON APPLICATION

To the above-named Respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California, on April 18, 2000, at the hour of 1:30 p.m., or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: April 5, 2000.

DEPARTMENT OF REAL ESTATE

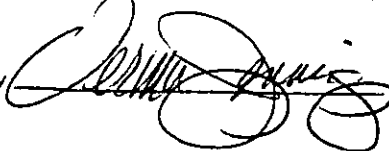
cc: Kurt L. Bruggeman
Lee & Associates Comm.
R.E. Servs.Inc.-El Toro
Sacto.
OAH

By:


TUAN VAN LAI, Counsel

5000
Plan

FILED
MAR - 2 2000
DEPARTMENT OF REAL ESTATE

By 

1 TUAN VAN LAI, Counsel (SBN 182967)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, California, 90013-1105
5
6 Telephone: (213) 576-6982
7 -or- (213) 576-6916 (Direct)
8
9

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

10
11 In the Matter of the Application of) No. H-28432 LA
12 KURT L. BRUGGEMAN,)
13 Respondent.)
14

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of
17 Issues against KURT L. BRUGGEMAN, aka Kurt Leroy Bruggenman
18 ("Respondent"), is informed and alleges in his official
19 capacity as follows:

I

20
21 On or about August 5, 1999, Respondent applied to the
22 Department of Real Estate of the State of California for a real
23 estate salesperson license with the knowledge and understanding
24 that any license issued as a result of that application would
25 be subject to the conditions of Section 10153.4 of the
26 California Business and Professions Code ("Code").

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II

On or about August 12, 1997, in the Superior Court, County of Orange, State of California, in case number SH97SM35665, Respondent pled guilty to and was convicted of violating 484(a)-488 of the California Penal Code (Petty Theft), a misdemeanor. Respondent was placed on probation for three years. The terms and conditions of probation required, among others, that Respondent serve one day in county jail and stay away from Robinsons-May store.

III

The crime of which Respondent was convicted involves moral turpitude and bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

IV

Respondent's criminal conviction constitutes cause for denial of his application for a real estate license under Sections 480(a) and 10177(b) of the California Business and Professions Code.

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.

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