

FILED  
FEB - 8 2001  
DEPARTMENT OF REAL ESTATE

*K. Niederholt*

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

*In the Matter of the Application of*

JULIO CESAR SANDOVAL,

Respondent

No. H- 28905 LA

STIPULATION AND  
WAIVER

I, JULIO CESAR SANDOVAL, 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 December 11, 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 two years have elapsed from the date of issuance of the restricted license to respondent.  
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3. With the application for license, or with the application for transfer to a new employing broker, I 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 supervision over the licensee's performance of acts for which a license is required.

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

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

X DATED this 4 day of 1, 2001.

[Signature]  
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 JULIO CESAR SANDOVAL if respondent has otherwise fulfilled all of the statutory  
7 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in  
8 the foregoing Stipulation and Waiver.

9 This Order is effective immediately.

10 DATED this 5<sup>th</sup> day of February, 2001.  
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13 PAULA REDDISH LINNEMANN  
14 Real Estate Commissioner  
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**FILED**  
DEC 11 2000  
DEPARTMENT OF REAL ESTATE

By *R. V. ...*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Application of )	No. H-28905 LA
JULIO CESAR SANDOVAL, )	
Respondent. )	<u>STATEMENT OF ISSUES</u>

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against JULIO CESAR SANDOVAL (Respondent) is informed and alleges in his official capacity as follows:

I

On or about December 4, 1999, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license with the knowledge and understanding that any license issued as a result of that application would be subject to the conditions of Section 10153.4 of the Business and Professions Code.

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II

On or about October 8, 1997, in the Superior Court For the County of San Bernardino, State of California, respondent was convicted of violating Penal Code Section 485 (use of property without notifying owner), a crime involving moral turpitude and substantially related to the qualifications, functions or duties of a real estate licensee.

III

The crime of which respondent was convicted, as described in Paragraph II, constitutes cause for denial of respondent's application for a real estate license under Sections 480(a) and 10177(b) of the California Business and Professions Code.

The Statement of Issues is 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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WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to respondent, and for such other and further relief as may be proper in the premises.

Dated at Los Angeles, California  
this 11th day of December, 2000.

THOMAS MC CRADY  
Deputy Real Estate Commissioner

cc: Julio Cesar Sandoval  
Richard Uriel Centeno  
Sacto.  
KM