

FILED
SEP - 6 2002
DEPARTMENT OF REAL ESTATE

By CS

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

DENISE JEANETTE TASH,

Respondent

No. H- 29586 LA

L-2002080051

STIPULATION AND
WAIVER

I, DENISE JEANETTE TASH, 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 July 3, 2002, 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.

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) months
11 of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of
12 successful completion, at an accredited institution, of two of the courses listed in Section
13 10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real
14 estate finance, or advanced real estate appraisal. If I fail to timely present to the Department
15 satisfactory evidence of successful completion of the two required courses, the restricted license
16 shall be automatically suspended effective eighteen (18) months after the date of its issuance.
17 Said suspension shall not be lifted unless, prior to the expiration of the restricted license, I have
18 submitted the required evidence of course completion and the Commissioner has given written
19 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 19th day of August, 2002.

25 Denise Jeanette Tash
26 DENISE JEANETTE TASH, Respondent
27

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 DENISE JEANETTE TASH 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 30th day of August, 2002.

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13 Paula Reddish Zinnemann
14 Real Estate Commissioner
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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of) Case No. H-29586 LA
)
DENISE JEANETTE TASH,) OAH No. L-2002080051
)
_____) Respondent(s)

FILED
AUG 21 2002
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on THURSDAY, OCTOBER 17, 2002, at the hour of 11:00 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 his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: August 21, 2002

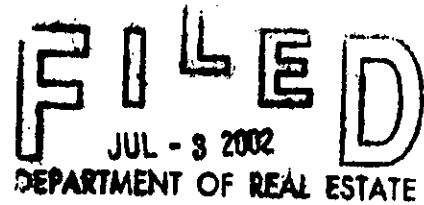
By

Chris Leong
CHRIS LEONG, Counsel

cc: Denise Jeanette Tash
Marina Mortgage Company, Inc.
Sacto.
OAH

CHRIS LEONG, Counsel (SBN 141079)
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
-or- (213) 576-6910 (Direct)



By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
DENISE JEANETTE TASH,)
Respondent.)

No. H-29586 LA

STATEMENT OF ISSUES

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against DENISE JEANETTE TASH ("Respondent"), alleges as follows:

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Respondent, pursuant to the provisions of Section 10153.3 of the Business and Professions Code ("Code"), made application to the Department of Real Estate of the State of California for a real estate salesperson license on or about September 24, 2001, with the knowledge and understanding that any license issued as a result of said application would be subject to the conditions of Code Section 10153.4.

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2 II

3 Complainant, Maria Suarez, a Deputy Real Estate
4 Commissioner of the State of California, makes this Statement
5 of Issues in her official capacity.

6 III

7 On or about November 18, 1987, in the Fullerton
8 Municipal Court, County of Orange, State of California, File
9 No. NM8715814, Respondent AKA Denise Jeanette Pasillas, was
10 convicted of violating one count of Section 488 of the
11 California Penal Code (Petty theft), a crime involving moral
12 turpitude which is substantially related to the qualifications,
13 functions and duties of a real estate licensee.

14 FAILURE TO REVEAL

15 IV

16 On said application, in response to Question 25,
17 "Have you ever been convicted of any violation of law?..",
18 Respondent answered "No". Also on said application, in
19 response to Question 18, "Have you ever used any other names
20 (i.e. maiden names, AKA's etc.)?", Respondent answered "No".

21 V

22 Respondent's conviction and failure to reveal, as
23 set forth in Paragraphs III and IV, is cause to deny
24 Respondent's real estate license application pursuant to Code
25 Sections 480(a), 480(c), 10177(a) and 10177(b).


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

5 WHEREFORE, the Complainant prays that the above-
6 entitled matter be set for hearing and, upon proof of the
7 charges contained herein, that the Commissioner refuse to
8 authorize the issuance of, and deny the issuance of, a real
9 estate salesperson license to Respondent, DENISE JEANETTE TASH,
10 and for such other and further relief as may be proper in the
11 premises.

12 Dated at Los Angeles, California
13 this 1st day of July, 2002.

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16 Deputy Real Estate Commissioner

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24 cc: Denise Jeanette Tash
25 Marina Mortgage Company, Inc./John A. Johnston
26 Maria Suarez
27 Sacto.
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