

FILED  
DEC 19 2002  
DEPARTMENT OF REAL ESTATE

By R. Medeiros

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

*In the Matter of the Application of*

SANTIAGO NAVA LOPEZ,

) No. H- 29759 LA

) STIPULATION AND  
) WAIVER

Santiago Lopez Respondent )

I, SANTIAGO NAVA LOPEZ, 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 October 31, 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.  
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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 15 day of NOV., 2002

X Santiago Lopez  
SANTIAGO NAVA LOPEZ, 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 SANTIAGO NAVA LOPEZ 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 15 day of November, 2002  
11 13th

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13 Paula Reddish Zinnemann  
14 Real Estate Commissioner  
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*Jacky*

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FILED  
OCT 31 2002  
DEPARTMENT OF REAL ESTATE

By K. Medeiros

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \* \*

11 In the Matter of the Application of) No. H-29759 LA  
12 SANTIAGO NAVA LOPEZ, )  
13 Respondent. ) STATEMENT OF ISSUES

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against SANTIAGO NAVA LOPEZ, is informed and alleges in her  
18 official capacity as follows:

19 1.

20 Respondent made application to the Department of Real  
21 Estate of the State of California for a real estate salesperson  
22 license on or about February 15, 2002, with the knowledge and  
23 understanding that any license issued as a result of said  
24 application would be subject to Section 10153.4(c) under the  
25 Real Estate Law (Part 1 of Division 4 of the California Business  
26 and Professions Code) (Code).  
27

2.

In response to Question 25 of said license application, to wit: "Have you ever been convicted of any violation of law? (You may omit minor traffic citations which do not constitute a misdemeanor or felony offense)." Respondent checked the box denoting "No".

3.

On July 13, 2000, in the Municipal Court for Los Angeles, Metro Branch Judicial District, County of Los Angeles, State of California, respondent was convicted upon a plea of nolo contendere to one count of violating Code Section 23152(b) of the California Vehicle Code (DUI) a misdemeanor.

4.

Respondent knowingly made a false statement of fact required to be revealed in his application for licensure, which is cause for denial of respondent's application for a real estate salesperson's license under Code Section 480(c).

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 of the State of California.

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1 WHEREFORE, Complainant prays that the above-entitled  
2 matter be set for hearing and, that upon proof of the charges  
3 contained herein, that the Commissioner refuse to authorize the  
4 issuance of, and deny the issuance of, a real estate salesperson  
5 license to respondent SANTIAGO NAVA LOPEZ and for such other and  
6 further relief as may be proper under other applicable  
7 provisions of law.  
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9 Dated at Los Angeles, California

10 this 18<sup>th</sup> day of October 2002.  
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13 Deputy Real Estate Commissioner  
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23 cc: Santiago Nava Lopez  
24 Donald Lynn Litterest  
25 Sacto  
26 Maria Suarez  
27 LM