

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of

SHIRLEY ARNESEN-SANCHEZ,

No. H- 30113 LA

STIPULATION AND WAIVER

I, SHIRLEY ARNESEN-SANCHEZ, 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.

Respondent

18 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent 19 filed by the Department of Real Estate on May 14, 2003, in connection with my application for a real estate 20 salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement 21 of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other 22 allegations therein, or that she may in her discretion waive the hearing and grant me a restricted real estate 23 salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of 24 Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory 25 showing that I meet all the requirements for issuance of a real estate salesperson license. I further 26 understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

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RE 511B (Rev. 8/00) Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted real estate salesperson license.

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

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

- The license shall not confer any property right in the privileges to be exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
 - a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a substantial relationship to respondent's fitness or capacity as a real estate licensee; or
- L. The receipt of evidence that respondent has wiolated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or conditions attaching to this restricted license.
 - 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to respondent.
- RE 511B (Rev. 8/00)

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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.

DATED this

SHIRLEY ARNESEN-SANCHEZ, Respondent

RE 511B (Rev. 8/00)

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Page 3 of 4

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

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to respondent SHIRLEY ARNESEN-SANCHEZ if respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in

the foregoing Stipulation and Waiver.

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This Order is effective immediately ercuss DATED this _ dav of 20/

Paula Reddish Zinnemann Real Estate Commissioner

RE 511B (Rev: 8/00)

DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

In the Matter of the Application of



Case No. H-30113 LA OAH No. L-2003060752

SHIRLEY ARNESEN-SANCHEZ

Respondent

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 August 27, 2003, 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 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 subpenas 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.

Dated: July 30, 2003

DEPARTMENT OF REAL ESTATE Bν JAM, S R. PEEL. Counsel

cc: Shirley Arnesen-Sanchez David Sarinana Sacto./OAH

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play	1 2 3	JAMES R. PEEL, Counsel (SBN 47055) Department of Real Estate 320 West Fourth Street, Ste. 350 Los Angeles, California 90013-1105 Telephanes (212) 576 (002)
	4	Telephone: (213) 576-6982 -or- (213) 576-6913 (Direct) By
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	8	BEFORE THE DEPARTMENT OF REAL ESTATE
	9	STATE OF CALIFORNIA
	10	* * *
	11	In the Matter of the Application of) No. H-30113 LA
	12	SHIRLEY ARNESEN-SANCHEZ,) <u>STATEMENT OF ISSUES</u>
	13	Respondent.)
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	15	The Complainant, Maria Suarez, a Deputy Real Estate
	16	Commissioner of the State of California, for Statement of Issues
	17	against SHIRLEY ARNESEN-SANCHEZ (Respondent) is informed and
	18	alleges in her official capacity as follows:
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	20	On or about October 29, 2002, Respondent applied to the
	21	Department of Real Estate of the State of California for a real
	22	estate salesperson license with the knowledge and understanding
	23	that any license issued as a result of that application would be
	24	subject to the conditions of Section 10153.4 of the Business and
	25	Professions Code:
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II On or about October 27, 1999, in the Municipal Court, Los Angeles-Criminal Judicial District, County of Los Angeles, State of California, Respondent was convicted of violating Welfare & Institutions Code Section 10980(C)(2) (Welfare Fraud), a crime involving moral turpitude and substantially related to the qualifications, functions or duties of a real estate licensee. III The matter described in Paragraph II constitutes cause for denial of Respondent's application for a real estate license under Section 480(a) and 10177(b) of the California Business and Professions Code. . 27

1 The Statement of Issues is brought under the provisions . 2 of 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 charges 7 contained herein, that the Commissioner refuse to authorize the 8 issuance of, and deny the issuance of, a real estate salesperson 9 license to Respondent SHIRLEY ARNESEN-SANCHEZ and for such other 10 and further relief as may be proper in the premises. 11 Dated at Los Angeles, California, A day of May 12 this 🗸 2003. 13 14 15 MARÍA SUAREZ 16 Deputy Real Estate Commissioner 17 18 19 20 21 22 23 cc: Shirley Arnesen-Sanchez 24 David Sarinana Maria Suarez 25 Sacto. \mathbf{LF} 26 27 3 -