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FILED
JUN 22 2007
DEPARTMENT OF REAL ESTATE

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By K. McDevitt

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	NO. H-30387 LA
)	
DEREK GEORGE HAYMOND,)	
)	
Respondent.)	
)	

ORDER GRANTING UNRESTRICTED LICENSE

On October 27, 2003, a Decision was rendered herein, denying Respondent's application for a real estate license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on December 11, 2003, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

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1 On or about December 29, 2005, Respondent petitioned
2 for the removal of restrictions attaching to Respondent's real
3 estate salesperson license.

4 I have considered the petition of Respondent and
5 the evidence submitted in support thereof. Respondent has
6 demonstrated to my satisfaction that Respondent meets the
7 requirements of law for the issuance to Respondent of an
8 unrestricted real estate salesperson license and that it
9 would not be against the public interest to issue said license
10 to Respondent.
11

12 NOW, THEREFORE, IT IS ORDERED that Respondent's
13 petition for removal of restrictions is granted and that a
14 real estate salesperson license be issued to him subject to
15 the following understanding and conditions;

16
17 1. The license issued pursuant to this Order shall
18 be deemed to be the first renewal of Respondent's real estate
19 salesperson license for the purpose of applying the provisions
20 of Section 10153.4.

21
22 2. Within nine (9) months from the date of this
23 Order Respondent shall:

24 (a) Submit a completed application and pay the
25 appropriate fee for a real estate salesperson license, and
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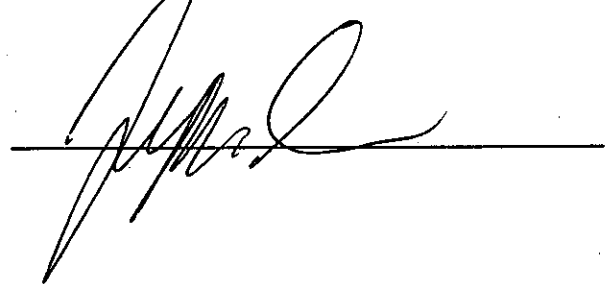
1 (b) Submit evidence of having taken and successfully
2 completed the courses specified in subdivisions (a) (1),
3 (2), (3) and (4) of Section 10170.5 of the Real Estate
4 Law for renewal of a real estate license.

5
6 3. Upon renewal of the license issued pursuant to,
7 this Order, Respondent shall submit evidence of having taken
8 and successfully completed the continuing education
9 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
10 for renewal of a real estate license.

11 This Order shall be effective immediately.

12 Dated: 6-6-07.
13

14 JEFF DAVI
15 Real Estate Commissioner

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John J. Hill

FILED
OCT 27 2003
DEPARTMENT OF REAL ESTATE

By *Jane B. Olm*

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**DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Application of

DEREK GEORGE HAYMOND,

Respondent

)
) No. H- 30387 LA
)

) **STIPULATION AND**
) **WAIVER**
)

I, DEREK GEORGE HAYMOND, 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 14, 2003, 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.

DATED this 16 day of October, 2003.


Respondent Derek George Haymond

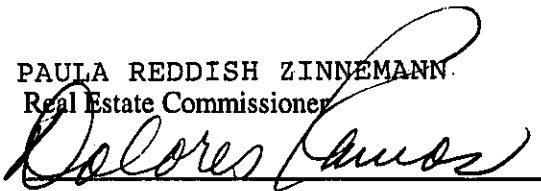
1 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by
2 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and
3 truthfulness of respondent need not be called and that it will not be inimical to the 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 DEREK GEORGE HAYMOND 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 27th day of OCTOBER, 2003

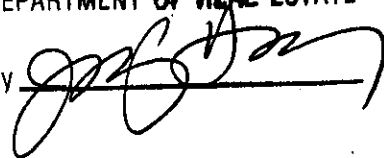
12 PAULA REDDISH ZINNEMANN
13 Real Estate Commissioner

14 By: 
15 DOLORES RAMOS
16 Regional Manager

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DARLENE AVERETTA, Counsel (SBN 159969)
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FILED
OCT 14 2003
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of) NO. H-30387 LA
)
DEREK GEORGE HAYMOND,) STATEMENT OF ISSUES
)
Respondent.)
)

The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, for cause of Statement
of Issues against DEREK GEORGE HAYMOND (hereinafter
"Respondent"), is informed and alleges as follows:

I

The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, makes this Statement
of Issues against Respondent in her official capacity.

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II

1 Respondent made application to the Department of Real
2 Estate of the State of California ("Department") for a real
3 estate salesperson license on or about October 21, 2002, with
4 the knowledge and understanding that any license issued as a
5 result of said application would be subject to the conditions
6 of Business and Professions Code ("Code") Section 10153.4.
7

8 (CRIMINAL CONVICTIONS)

9 III

10 On or about March 24, 1982, in the Municipal Court of
11 Los Angeles, State of California, Respondent, was convicted upon
12 his plea nolo contendere, of violating Penal Code Section
13 12025(b) (Carrying a Concealed Weapon), a misdemeanor crime
14 involving moral turpitude which is substantially related to the
15 qualifications, functions and duties of a real estate licensee
16 pursuant to Section 2910, Title 10, Chapter 6, California Code
17 of Regulations ("Regulations").
18

19 IV

20 On or about December 17, 1993, in the Municipal Court
21 of Los Angeles, State of California, Respondent, was convicted
22 upon his plea guilty, of violating Penal Code Section 487(1)
23 (Grand Theft by Embezzlement), a felony crime involving moral
24 turpitude which is substantially related to the qualifications,
25 functions and duties of a real estate licensee pursuant to
26 Regulation 2910.
27

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V

1 The crimes of which Respondent was convicted, as
2 alleged in Paragraphs III and IV above, constitute cause for
3 denial of Respondent's application for a real estate license
4 under Business and Professions Code ("Code") Sections 480(a)(1)
5 and 10177(b).

6 (FAILURE TO REVEAL CONVICTION)

7 VI

8 In response to Question 25 of his license application,
9 to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW?
10 CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE
11 DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC CITATIONS WHICH
12 DO NOT CONSTITUTE A MISDEMEANOR OR FELONY OFFENSE. Respondent
13 answered "Yes", but failed to reveal the conviction described
14 in Paragraph III, above.
15

16 VII

17 Respondent's failure to reveal the conviction against
18 him as set forth in Paragraphs III and VI, above, constitutes
19 the procurement of, or attempt to procure a real estate license
20 by fraud, misrepresentation or deceit, or by making a material
21 misstatement of fact or knowingly making a false statement of
22 fact required to be revealed in a real estate application, which
23 constitutes cause under Code Sections 480(c) and 10177(a) for
24 denial of Respondent's application for a real estate license.

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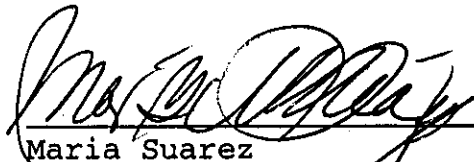
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1 The Statement of Issues is brought under the
2 provisions of Section 10100, Division 4 of the Business and
3 Profession Code of the State of California and Sections 11500
4 through 11528 of the Government Code.

5 WHEREFORE, Complainant prays that the above entitled
6 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, DEREK GEORGE HAYMOND, and for such other
10 and further relief as may be proper under other provisions of
11 law.

12 Dated at Los Angeles, California
13 this 14th day of October, 2003.

14
15 
16 _____
17 Maria Suarez
18 Deputy Real Estate Commissioner
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24 cc: Derek George Haymond
25 B.C. Group, Inc./Gurcharn S. Jolly
26 Maria Suarez
27 SACTO
AE