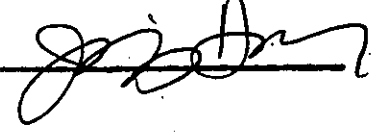


SAO to
NAB

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982

FILED
AUG 12 2004

DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

10 *In the Matter of the Application of*
11 RUTH CECILIA QUEIJA,

) No. H- 30421 LA
) L-2003120187

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

) Respondent)

15 It is hereby stipulated by and between RUTH CECILIA QUEIJA (hereinafter "Respondent") and
16 Respondent's attorney, Frank M. Buda, and the Complainant, acting by and through Darlene Averetta,
17 Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the
18 Statement of Issues filed on October 30, 2003 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues and the
20 Statement to Respondent filed by the Department of Real Estate in connection with Respondent's
21 application for a real estate salesperson license. Respondent understands that the Real Estate Commissioner
22 may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's
23 honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the
24 hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and
25 Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Real Estate
26 Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent meets
27 all the requirements for issuance of a real estate salesperson license. Respondent further understands that by

1 entering into this stipulation and waiver Respondent will be stipulating that the Real Estate Commissioner
2 has found that Respondent has failed to make such a showing, thereby justifying the denial of the issuance
3 to Respondent of an unrestricted real estate salesperson license.

4 Respondent hereby admits that the allegations of the Statement of Issues filed against Respondent are
5 true and correct and requests that the Real Estate Commissioner in his discretion issue a restricted real
6 estate salesperson license to Respondent under the authority of Section 10156.5 of the Business and
7 Professions Code. Respondent understands that any such restricted license will be issued subject to and be
8 limited by Section 10153.4 of the Business and Professions Code.

9 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving Respondent's
10 right to a hearing and the opportunity to present evidence at the hearing to establish Respondent's
11 rehabilitation in order to obtain an unrestricted real estate salesperson license if this Stipulation and Waiver
12 is accepted by the Real Estate Commissioner. However, Respondent is not waiving Respondent's right to a
13 hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation and
14 Waiver is not accepted by the Commissioner.

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

- 17 1. The license shall not confer any property right in the privileges to be exercised including the
18 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right
19 to exercise any privileges granted under this restricted license in the event of:
 - 20 a. The conviction of Respondent (including a plea of nolo contendere) to a crime which bears
21 a substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
 - 22 b. The receipt of evidence that Respondent has violated provisions of the California Real
23 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
24 conditions attaching to this restricted license.
- 25 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license
26 nor the removal of any of the conditions, limitations or restrictions attaching to the restricted
27

1 license until two years have elapsed from the date of issuance of the restricted license to
2 Respondent.

3 3. With the application for license, or with the application for transfer to a new employing broker,
4 Respondent shall submit a statement signed by the prospective employing broker on a form
5 approved by the Department of Real Estate wherein the employing broker shall certify as
6 follows:

7 a. That broker has read the Statement of Issues which is the basis for the issuance of the
8 restricted license; and


9 b. That broker will carefully review all transaction documents prepared by the restricted
10 licensee and otherwise exercise close supervision over the licensee's performance of acts
11 for which a license is required.

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

23 5. Pursuant to Section 10154, if Respondent has not satisfied the requirements for an unqualified
24 license under Section 10153.4, Respondent shall not be entitled to renew the restricted license,
25 and shall not be entitled to the issuance of another license which is subject to Section 10153.4
26 until four years after the date of the issuance of the preceding restricted license.
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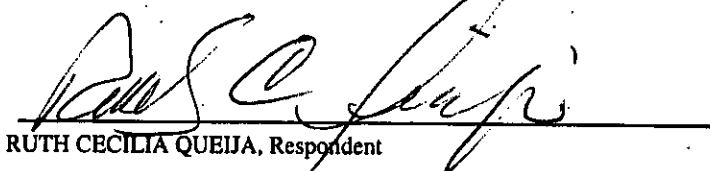
July 29, 2004
Dated


DARLENE AVERETTA, Counsel, Department of Real Estate

I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

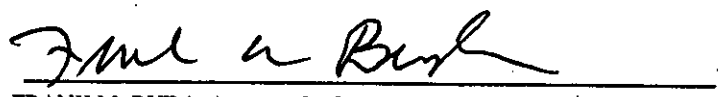
Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Waiver.

7/26/04
Dated


RUTH CECILIA QUEIJA, Respondent

I have reviewed the Stipulation and Waiver as to form and content and have advised my client accordingly.

7-20-04
Dated


FRANK M. BUDA, Attorney for Respondent

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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, 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.

This Order is effective immediately.

IT IS SO ORDERED August 6, 2004.

JOHN R. LIBERATOR
Acting Real Estate Commissioner

John R. Liberator

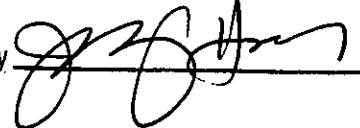
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) Case No. H-30421 LA
RUTH CECILIA QUEIJA,)
OAH No. L-2003120187
Respondent(s)

FILED
JAN 15 2004
DEPARTMENT OF REAL ESTATE

NOTICE OF CONTINUED HEARING ON APPLICATION

By 

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 MONDAY, JULY 19, 2004, at the hour of 9:00 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.

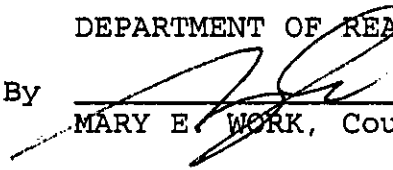
The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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: January 15, 2004

By 
MARY E. WORK, Counsel

cc: Ruth C. Queija
Frank M. Buda, Esq.
Sacto.
OAH

SACTO

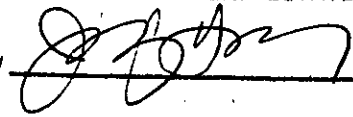
BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of) Case No. H-30421 LA
)
 RUTH CECILIA QUEIJA,) OAH No. L-2003120187
)
)
 _____)
 Respondent

FILED
 DEC 19 2003
 DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

By 

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 TUESDAY, FEBRUARY 24, 2004, at the hour of 1:30 P.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.

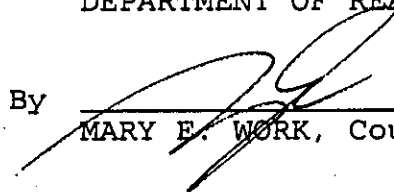
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You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents 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

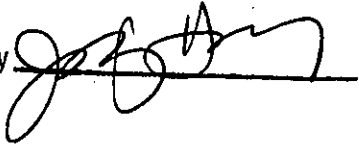
Dated: December 19, 2003

By 
 MARY E. WORK, Counsel

cc: Ruth C. Queija
 Frank M. Buda, Esq.
 Sacto.
 OAH

SM70

1 MARY E. WORK, Counsel
SBN 175887
2 Department of Real Estate
320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone (213) 576-6982
-Direct- (213) 576-6916
5
6
7

FILED
OCT 30 2003
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

10 In the Matter of the Application of) 11 RUTH CECILIA QUEIJA,) 12 Respondent.) 13 _____))))))	No. H- 30421 LA <u>STATEMENT OF ISSUES</u>
---	-----------------------	---

14 The Complainant, Maria Suarez, a Deputy Real Estate
15 Commissioner of the State of California, for cause of Statement
16 of Issues against RUTH CECILIA QUEIJA (hereinafter "Respondent"),
17 is informed and alleges as follows:

I

19 The Complainant, Maria Suarez, a Deputy Real Estate
20 Commissioner of the State of California, makes this Statement of
21 Issues against Respondent in her official capacity.
22

II

23 Respondent made application to the Department of Real
24 Estate of the State of California (hereinafter "Department") for
25 a real estate salesperson license on or about December 23, 2002,
26 with the knowledge and understanding that any license issued as a
27

1 result of said application would be subject to the conditions of
2 Business and Professions Code ("Code") Section 10153.4.

3 FIRST CAUSE OF ACTION
4 (CRIMINAL CONVICTION)

5 III

6 On or about March 22, 1988, in the Municipal Court of
7 Alhambra Judicial District, County of Los Angeles, State of
8 California, in Case No. 87MO6709, Respondent was convicted upon
9 her plea of nolo contendere of violating Vehicle Code Section
10 4463(a) (False/Blank Registration), a misdemeanor crime of moral
11 turpitude and that substantially related under Section 2910,
12 Title 10, Chapter 6, California Code of Regulations to the
13 qualifications, functions or duties of a real estate licensee.

14 IV

15 The crime for which Respondent was convicted, as
16 described above, constitutes grounds for denial of Respondent's
17 application for a real estate license under Section 475(a)(2),
18 480(a)(1) and 10177(b) of the Code.

19 SECOND CAUSE OF ACTION
20 (DENIAL OF NOTARY LICENSE)

21 V

22 On or about August 26, 2000, Respondent filed an
23 application for a commission as a Notary Public with the Office
24 of the Secretary of State of the State of California. Respondent
25 failed to disclose the conviction alleged above in Paragraph III
26 of the within Statement of Issues. In response to Respondent's
27 failure to disclose said conviction, the Notary Public Section of

1 the Office of the Secretary of State filed a Statement of Issues.
2 After notice and a hearing on said Statement of Issues,
3 Respondent's application was denied effective July 11, 2002.

4 VI

5 The denial of Respondent's application for a commission
6 as a Notary Public constitutes grounds to deny Respondent's
7 license for a real estate salesperson license under Section
8 10177(f) of the Code.

9 These proceedings are brought under the provisions of
10 Section 10100, Division 4 of the Business and Professions Code of
11 the State of California and Section 11500 through 11528 of the
12 Government Code.

13 WHEREFORE, Complainant prays that the above entitled
14 matter be set for hearing and, upon proof of the charges
15 contained herein, that the Commissioner refuse to authorize the
16 issuance of, and deny the issuance of, a real estate broker
17 license to Respondent, RUTH CECILIA QUEIJA and for such other and
18 further relief as may be proper under other provisions of law.

19
20 
21 MARIA SUAREZ
22 Deputy Real Estate Commissioner

23 Dated at Los Angeles, California,
24 this 28th day of October, 2003.

25 cc: Ruth Cecilia Queija
26 Ticomo Valley Corp./Jose E. Pastora
27 Maria Suarez
SACTO
TF