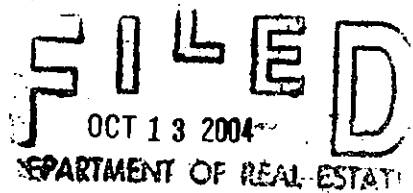


1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982



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6
7 **DEPARTMENT OF REAL ESTATE**
8 **STATE OF CALIFORNIA**

9
10 *In the Matter of the Application of*

11 GUSTAVO MAURICE SANDOVAL,

12
13 Respondent

) No. H- 30775 LA

) L- 2004040539

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

14
15 I, GUSTAVO MAURICE SANDOVAL, respondent herein, do hereby affirm that I have applied to the
16 Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have
17 satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee
18 therefor.

19 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent
20 filed by the Department of Real Estate on March 17, 2004, in connection with my application for a real
21 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this
22 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove
23 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real
24 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the
25 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a
26 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I
27 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 requests that the Real Estate Commissioner in his 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.
26
27

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 a course in real estate practices and one of
13 the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of
14 real estate, advanced real estate finance, or advanced real estate appraisal. If I fail to timely
15 present to the Department satisfactory evidence of successful completion of the two required
16 courses, the restricted license shall be automatically suspended effective eighteen (18) months
17 after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of
18 the restricted license, I have submitted the required evidence of course completion and the
19 Commissioner has given written notice to Respondent 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, Respondent shall not be entitled to renew the restricted license, and shall
22 not be entitled to the issuance of another license which is subject to Section 10153.4 until four
23 years after the date of the issuance of the preceding restricted license.

24 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
25 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
26 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending
27 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt

JUN-14-04 MON 03:58 PM

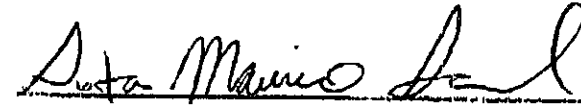
FAX NO. 214 66917

P. 06/07

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

7-16-04

Dated



GUSTAVO MAURICE SANDOVAL, Respondent

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

9 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
10 respondent GUSTAVO MAURICE SANDOVAL if respondent has otherwise fulfilled all of the statutory
11 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
12 the foregoing Stipulation and Waiver.

13 This Order is effective immediately.

14 IT IS SO ORDERED _____
15

16 _____
17 JOHN R. LIBERATOR,
18 Acting Real Estate Commissioner
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1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 _____
4 Dated

_____ GUSTAVO MAURICE SANDOVAL, Respondent

5 * * *

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

10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
11 respondent GUSTAVO MAURICE SANDOVAL if respondent has otherwise fulfilled all of the statutory
12 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
13 the foregoing Stipulation and Waiver.

14 This Order is effective immediately.

15 IT IS SO ORDERED Oct. 6, 2004

16 John R. Liberator
17 JOHN R. LIBERATOR
18 Acting Real Estate Commissioner
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SAC
1 MARTHA J. ROSETT, Counsel (SBN 142072)
2 Department of Real Estate
3 320 West Fourth St. #350
4 Los Angeles, CA 90013

4 (213) 576-6982
5 (213) 576-6914

FILED
MAR 17 2004
DEPARTMENT OF REAL ESTATE
G

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Application of) No. H-30775 LA
12)
13 GUSTAVO MAURICE SANDOVAL,) STATEMENT OF ISSUES
14)
15 Respondent.)

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against GUSTAVO MAURICE SANDOVAL ("Respondent"), alleges in her
19 official capacity as follows:

20 1.

21 On or about May 14, 2003, pursuant to the provisions of
22 Section 10153.3 of the Business and Professions Code ("Code"),
23 Respondent made application to the Department of Real Estate of
24 the State of California for a real estate salesperson license
25 with the knowledge and understanding that any license issued as a
26 result of said application would be subject to the conditions of
27 Section 10153.4 of the Code.

2.

On or about July 10, 2000, in the Ventura County Municipal Court, State of California, in Case No. 00C004004, Respondent was convicted of violating Penal Code Section 484(a) (petty theft), a crime of moral turpitude which is substantially related to the qualifications, functions and duties of a real estate licensee. Respondent was sentenced to three years conditional, revocable release, the terms and conditions of which included paying restitution and fines and obeying all laws.

In Aggravation

3.

On or about January 23, 2001, in the Superior Court of California, County of Ventura, in Case No. 2000108071, Respondent was convicted of violating Vehicle Code Section 23152(a) (driving under the influence of alcohol or drugs), a misdemeanor. Respondent was on probation for the conviction set forth in Paragraph 2 at the time of this second conviction.

4.

Respondent's conviction, as set forth in Paragraph 2, above, constitutes grounds for denial of Respondent's application for a real estate license pursuant to Code Sections 480(a) and 10177(b).

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.

//

1 WHEREFORE, the Complainant prays that the above-
2 entitled matter be set for hearing and, 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 GUSTAVO MAURICE SANDOVAL and for such other
6 and further relief as may be proper under the law.

7 Dated at Los Angeles, California

8 this 12th day of March, 2004.

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11 
12 Deputy Real Estate Commissioner
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22

23 cc: Gustavo Maurice Sandoval
24 Rodeo Realty, Inc./Sydney Leibovitch
25 Sacto.
26 Maria Suarez
27 LF