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FILED

MAR 21 2010

DEPARTMENT OF REAL ESTATE

By H. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of	)	No. H-31351 LA
	)	
DEMORY JENNIFER STODOLA,	)	
	)	
Respondent.	)	
	)	

ORDER GRANTING UNRESTRICTED LICENSE

On February 9, 2005, a Decision was rendered herein denying the real estate salesperson license of Respondent, 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 March 5, 2005 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On or about October 23, 2009, Respondent petitioned for removal of restrictions of said real estate salesperson license.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate


1 salesperson license and that it would not be against the public interest to issue said license to  
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal  
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if  
5 Respondent satisfies the following conditions within twelve (12) months from the date of this  
6 Order:

- 7 Order:
- 8 1. Submittal of a completed application and payment of the fee for a real estate  
9 salesperson license.
  - 10 2. Submittal of evidence of having, since the most recent issuance of an original  
11 or renewal real estate license, taken and successfully completed the continuing education  
12 requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a license.

13 This Order shall be effective immediately.

14 Dated: 3/2/2010  
15 \_\_\_\_\_

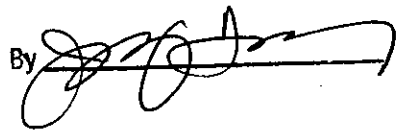
16 JEFF DAVI  
17 Real Estate Commissioner  
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Department of Real Estate  
320 W. 4th Street, Suite 350  
Los Angeles, CA 90013-1105  
Telephone: (213) 576-6982

**FILED**  
FEB 16 2005  
DEPARTMENT OF REAL ESTATE

By 

**DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA**

*In the Matter of the Application of*

DEMORY JENNIFER STODOLA,

Respondent

)  
) No. H- 31351 LA  
) L-2004110254  
) **STIPULATION AND**  
) **WAIVER**  
)  
)  
)

I, DEMORY JENNIFER STODOLA, 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 6, 2004, 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 he may in his 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 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 her actual signature as it appears on the Stipulation and Waiver, that receipt

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 1-12-05

4 Dated

Demory J. Stodola  
5 DEMORY JENNIFER STODOLA, Respondent

6 \*\*\*

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

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

15 This Order is effective immediately.

16 IT IS SO ORDERED

17 2-9-05

18 Jeff Davi  
19 Real Estate Commissioner

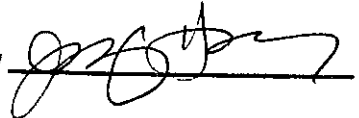
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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Application of ) Case No. H-31351 LA  
DEMORY JENNIFER STODOLA, ) OAH No. L-2004110254  
\_\_\_\_\_) Respondent (s)

FILED  
DEC 03 2004  
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 MONDAY, JANUARY 24, 2005, 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.

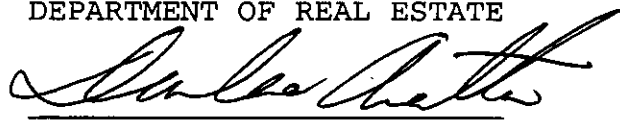
The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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: December 3, 2004

By   
for SHANNON M. CHAMBERS  
Counsel

cc: Demory J. Stodola  
Sacto.  
OAH

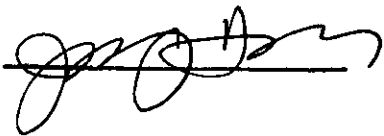
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SHANNON M. CHAMBERS, Counsel (SBN 212459)  
Department of Real Estate  
320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105

Telephone: (213) 576-6982  
(Direct) (213) 576-6916

**FILED**  
OCT 06 2004  
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Application of	)	NO. H-31351 LA
	)	
DEMORY JENNIFER STODOLA	)	
	)	<u>STATEMENT OF ISSUES</u>
Respondent.	)	
	)	

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

1.

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.

///  
///  
///



2.

1 Respondent made application to the Department of Real  
2 Estate of the State of California for a real estate salesperson  
3 license on or about January 16, 2004, with the knowledge and  
4 understanding that any license issued as a result of said  
5 application would be subject to the conditions of Business and  
6 Professions Code ("Code") Section 10153.4.  
7

8 3.

9 (CRIMINAL CONVICTIONS)

10 On or about February 5, 1991, in the Municipal Court  
11 of Perris, County of Riverside, State of California, Case  
12 No.P906897, Respondent DEMORY JENNIFER STODOLA, was convicted of  
13 violating California Penal Code Section 148 (Resisting Arrest)  
14 and California Penal Code Section 415 (Fighting, Causing Loud  
15 Noise, or Using Offensive Words In a Public Place). These  
16 crimes are substantially related under Title 10, Chapter 6,  
17 Section 2910, California Code of Regulations, to the  
18 qualifications, functions or duties of a real estate licensee.  
19

20 On or about February 24, 1999, in the Municipal Court  
21 of Citrus Judicial District, County of Los Angeles, State of  
22 California, Case No.9JM01282, Respondent DEMORY JENNIFER  
23 STODOLA, was convicted of violating California Penal Code  
24 Section 484(A) (Theft of Property). This is a crime involving  
25 moral turpitude and is substantially related under Title 10,  
26 Chapter 6, Section 2910, California Code of Regulations, to the  
27 qualifications, functions or duties of a real estate licensee.

4.

1  
2 The crimes of which Respondent was convicted as  
3 alleged herein above in Paragraph 3, constitutes cause for  
4 denial of Respondent's application for a real estate license  
5 under Code Sections 475(a)(2); 480 (a)(1) and or 10177(b).

6  
7 5.

8 (FAILURE TO REVEAL CONVICTIONS)

9 In response to Question 25 of her license application,  
10 to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW?  
11 CONVICTION EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE  
12 DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC CITATIONS WHICH  
13 DO NOT CONSTITUTE A MISDEMEANOR OR FELONY OFFENSE". Respondent  
14 answered "No", and failed to reveal the conviction described in  
15 Paragraphs 3 and 4 above.

16 Respondent's failure to reveal the conviction set  
17 forth herein in Paragraphs 3 and 4, above, in her license  
18 application, constitutes the attempt to procure a real estate  
19 license by fraud, misrepresentation, or deceit, or by making a  
20 material misstatement of fact, or by knowingly making a false  
21 statement of material fact required to be revealed in said  
22 application, which is grounds for denial of the issuance of a  
23 license under Business and Professions Code Sections 475 (a)  
24 (1), 480(c) and/or 10177(a).

25  
26 6.

27 The Statement of Issues is brought under the  
provisions of Section 10100, Division 4 of the Business and

1 Professions Code of the State of California and Sections 11500  
2 and 11529 of the Government Code.

3 WHEREFORE, Complainant prays that the above entitled  
4 matter be set for hearing and, upon proof of the charges  
5 contained herein, that the Commissioner refuse to authorize the  
6 issuance of, and deny the issuance of, a real estate salesperson  
7 license to Respondent, DEMORY JENNIFER STODOLA, and for such  
8 other and further relief as may be proper under other provisions  
9 of law.

10 Dated at Los Angeles, California

11 this 28<sup>th</sup> day of September, 2004.

12  
13  
14   
15 Maria Suarez  
16 Deputy Real Estate Commissioner

17 Cc: DEMORY JENNIFER STODOLA  
18 Maria Suarez  
19 Sacto.  
20 LF  
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