

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
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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 04-06-06

4 Dated

Maria Luz Maytorena
5 MARIA LUZ MAYTORENA, 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 MARIA LUZ MAYTORENA 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 5-11-06

Jeff Davis
17 Real Estate Commissioner

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FILED
FEB 23 2008
DEPARTMENT OF REAL ESTATE

By C

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of) NO. H-32520 LA
)
MARIA LUZ MAYTORENA,) STATEMENT OF ISSUES
)
Respondent.)

The Complainant, Janice Waddell, a Deputy Real Estate
Commissioner of the State of California, for Statement of Issues
against MARIA LUZ MAYTORENA ("Respondent"), alleges in her
official capacity as follows:

I

Respondent made application to the Department of Real
Estate of the State of California for a real estate salesperson
license on or about June 9, 2005, with the knowledge and
understanding that any license issued as a result of said
application would be subject to the conditions of Section
10153.4 of the California Business and Professions Code.

II

CRIMINAL CONVICTION

On or about November 14, 1985, in the Superior Court of California, County of San Bernardino, Case No. MCH8077, Respondent MARIA LUZ MAYTORENA was convicted of one (1) count of violating California Penal Code Section 488 (petty theft), a crime involving moral turpitude which is substantially related under Title 10, Chapter 6, Section 2910, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

III

The crime of which Respondent was convicted, as alleged herein above, constitutes cause for denial of Respondent's application for a real estate license under Business and Professions Code Sections 475(a)(2), 480(a)(1) and/or 10177(b).

IV

PRIOR LICENSE DENIAL

On or about November 29, 2001, in Case No. H-29253 LA, a case then pending before the Department, the Real Estate Commissioner denied a real estate salesperson license to Respondent MARIA LUZ MAYTORENA.

V

The prior denial of Respondent's real estate license alleged herein above constitutes cause for denial of

1 Respondent's application for a real estate license under
2 Business and Professions Code Section 10177(f).

3 VI

4 FAILURE TO REVEAL LICENSE DENIAL

5 In response to Question 24A of her 2005 license
6 application, to wit: "HAVE YOU EVER HAD A DENIED, SUSPENDED,
7 RESTRICTED OR REVOKED BUSINESS OR PROFESSIONAL LICENSE
8 (INCLUDING REAL ESTATE), IN CALIFORNIA OR ANY OTHER STATE,"
9 Respondent answered "No," and failed to reveal the license
10 denial set forth in paragraph IV above.

11 VII

12 Respondent's failure to reveal the denial set forth
13 herein in her 2005 license application constitutes the attempt
14 to procure a real estate license by fraud, misrepresentation, or
15 deceit, or by making a material misstatement of fact, or
16 knowingly making a false statement of material fact required to
17 be revealed in said application, which is grounds for denial of
18 the issuance of a license under Business and Professions Code
19 Sections 475(a)(1), 480(c), and/or 10177(a).
20

21 These proceedings are brought under the provisions of
22 Section 10100, Division 4 of the Business and Professions Code
23 of the State of California and Sections 11500 through 11528 of
24 the Government Code.

25 WHEREFORE, Complainant prays that the above-entitled
26 matter be set for hearing and, upon proof of the charges
27

1 contained herein, that the Commissioner refuse to authorize the
2 issuance of, and deny the issuance of, a real estate salesperson
3 license to Respondent, MARIA LUZ MAYTORENA, and for such other
4 and further relief as may be proper under other provisions of
5 law.

6 Dated at Los Angeles, California

7 this 22 day of February, 2006.

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11 Janice Waddell
12 Deputy Real Estate Commissioner
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26 cc: Maria Luz Maytorena
27 Lynette Casiano
Janice Waddell
Sacto.