

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.
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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 5-23-06
4 Dated

Michele Lynne Howlin
MICHELE LYNNE HOWLIN, 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 MICHELE LYNNE HOWLIN 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 JEFF DAVI
Real Estate Commissioner

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 MICHELE LYNNE HOWLIN, 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 MICHELE LYNNE HOWLIN 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 6.13.06
16 _____
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18 JEFF DAVI
19 Real Estate Commissioner
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ALZ

FILED
MAY 15 2006
DEPARTMENT OF REAL ESTATE
[Signature]

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013-1105
5
6
7
8 Telephone: (213) 576-6982
9 -or- (213) 576-6913 (Direct)

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No. H-32865 LA
12 MICHELE LYNNE HOWLIN,) STATEMENT OF ISSUES
13 Respondent.)
14

15
16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against MICHELE LYNNE HOWLIN (Respondent) is informed and alleges
19 in her official capacity as follows:

20 I

21 On or about August 15, 2005, Respondent applied to the
22 Department of Real Estate of the State of California for a real
23 estate salesperson license with the knowledge and understanding
24 that any license issued as a result of that application would be
25 subject to the conditions of Section 10153.4 of the Business and
26 Professions Code (hereinafter Code).

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II

In response to Question 25 of said application, to wit, "Have you ever been convicted of any violation of law?", Respondent answered "Yes", and disclosed a 1994 matter for driving under the influence and a 1995 matter for possession of marijuana.

III

On or about August 2, 1993, in the Municipal Court of California for the County of San Bernardino, Respondent was convicted of violating Vehicle Code Section 20002(a) (hit and run property damage), a crime involving moral turpitude.

IV

The matter alleged in Paragraph III is substantially related to the duties, functions, and qualifications of a real estate licensee.

V

The matter alleged in Paragraph III is grounds to deny Respondent's application for a real estate license under Sections 480(a)(1) and 10177(b) of the Code.

VI

Respondent's failure to reveal the matter set forth in Paragraph III in said application constitutes the attempt to procure a real estate license by fraud, misrepresentation or deceit, or by making a material misstatement of fact or knowingly making a false statement of fact required to be revealed in said application, which failure is cause for denying Respondent's

1 application for a real estate license under Sections 480(c) and
2 10177(a) of the Code.

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

7 WHEREFORE, the Complainant prays that the above-
8 entitled matter be set for hearing and, upon proof of the charges
9 contained herein, that the Commissioner refuse to authorize the
10 issuance of, and deny the issuance of, a real estate salesperson
11 license to Respondent, MICHELE LYNNE HOWLIN, and for such other
12 and further relief as may be proper in the premises.

13 Dated at Los Angeles, California,

14 this 22nd day of February, 2006.

15
16 
17 MARIA SUAREZ
18 Deputy Real Estate Commissioner

19
20 cc: Michele Lynne Howlin
21 Charles L. Buchanan
22 Maria Suarez
23 Sacto.
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