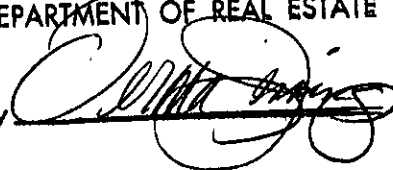


1 Department of Real Estate  
320 W. 4th Street, Suite 350  
2 Los Angeles, CA 90013-1105  
3 Telephone: (213) 576-6982  
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**FILED**  
SEP 29 2006  
DEPARTMENT OF REAL ESTATE  
By 

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

9  
10 *In the Matter of the Application of* )  
11 ) No. H- 32888 LA  
12 ) **STIPULATION AND**  
13 **CORY DAVID VAN FLEET** ) **WAIVER**  
14 )  
15 ) Respondent )

16 I, CORY DAVID VAN FLEET, respondent herein, do hereby affirm that I have applied to the Department  
17 of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all  
18 of the statutory requirements for the issuance of the license, including the payment of the fee 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 May 18, 2006, in connection with my application for a real estate  
21 salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of  
22 Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other  
23 allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate  
24 salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of  
25 Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory  
26 showing that I meet all the requirements for issuance of a real estate salesperson license. I further  
27 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 request 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.

6 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the  
7 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an  
8 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate  
9 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a  
10 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

11 I further understand that the following conditions, limitations, and restrictions will attach to a  
12 restricted license issued by the Department of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised including the  
14 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
15 to exercise any privileges granted under this restricted license in the event of:
  - 16 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a  
17 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - 18 b. The receipt of evidence that respondent has violated provisions of the California Real  
19 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or  
20 conditions attaching to this restricted license.
- 21 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
22 removal of any of the conditions, limitations, or restrictions attaching to the restricted license  
23 until two years have elapsed from the date of issuance of the restricted license to respondent.
- 24 3. With the application for license, or with the application for transfer to a new employing broker, I  
25 shall submit a statement signed by the prospective employing broker on a form approved by the  
26 Department of Real Estate wherein the employing broker shall certify as follows:  
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- a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
- b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

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 his 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.

\_\_\_\_\_

Dated

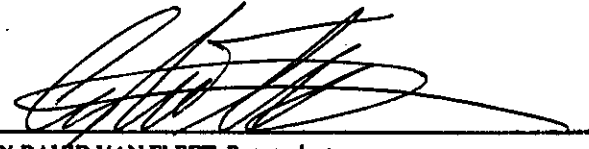
CORY DAVID VAN FLEET, Respondent

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- a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and
- b. That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

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 his 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.

08/01/2006  
Dated

  
CORY DAVID VAN FLEET, 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 CORY DAVID VAN FLEET 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 8-15-06

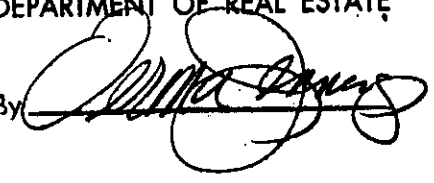
  
Jeff Davis  
Real Estate Commissioner

*Sued*

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 Telephone: (213) 576-6982  
6 -or- (213) 576-6913 (Direct)

**FILED**  
MAY 18 2006  
DEPARTMENT OF REAL ESTATE

By 

7  
8 ~~BEFORE THE DEPARTMENT OF REAL ESTATE~~

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )	No. H-32888 LA
12 CORY DAVID VAN FLEET, )	<u>STATEMENT OF ISSUES</u>
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 CORY DAVID VAN FLEET (Respondent) is informed and alleges  
19 in her official capacity as follows:

20 I

21 On or about July 11, 2005, Respondent applied to the  
22 Department of Real Estate of the State of California for a real  
23 estate salesperson license.

24 ///  
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II

1 In response to Question 25 of said application, to wit,  
2 "Have you ever been convicted of any violation of law?",  
3 Respondent answered "No".  
4

III

5 On or about October 17, 2001, in the Superior Court of  
6 California for the County of Los Angeles, Respondent was  
7 convicted of violating Vehicle Code Section 2800.1(a) (evading  
8 arrest), and Vehicle Code Section 23109(a) (speed contest).  
9

IV

10 The matter alleged in Paragraph III involves moral  
11 turpitude and is substantially related to the duties, functions,  
12 and qualifications of a real estate licensee.  
13

V

14 The matter alleged in Paragraph III is grounds to deny  
15 Respondent's application for a real estate license under Sections  
16 480(a)(1) and 10177(b) of the Code.  
17

VI

18 Respondent's failure to reveal the matter set forth in  
19 Paragraph III in said application constitutes the attempt to  
20 procure a real estate license by fraud, misrepresentation or  
21 deceit, or by making a material misstatement of fact or knowingly  
22 making a false statement of fact required to be revealed in said  
23 application, which failure is cause for denying Respondent's  
24 application for a real estate license under Sections 480(c) and  
25 10177(a) of the Code.  
26

27 ///

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

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

11 Dated at Los Angeles, California,  
12 this 3rd day of April, 2006.

13  
14  
15   
16 \_\_\_\_\_  
17 MARIA SUAREZ  
18 Deputy Real Estate Commissioner

19 cc: Cory David Van Fleet  
20 Maria Suarez  
21 Sacto.  
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