

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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10 By _____

11 **DEPARTMENT OF REAL ESTATE**

12 **STATE OF CALIFORNIA**

13 *In the Matter of the Application of*

14 **MARCUS JEROME STALEY,**

15 Respondent

)
) No. H- 33397 LA
)

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

16 I, MARCUS JEROME STALEY, 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 November 3, 2006, 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 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:
27

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

6 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
7 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
8 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending
9 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
10 of the faxed copy by the Department shall be as binding on Respondent as if the Department had received
11 the original signed Stipulation and Waiver.

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13 01-30-07

14 Dated

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Marcus Jerome Staley

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4 licensee and otherwise exercise close supervision over the licensee's performance of acts
5 for which a license is required.

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7 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
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9 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
10 of the faxed copy by the Department shall be as binding on Respondent as if the Department had received
11 the original signed Stipulation and Waiver.

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14 Dated

15 Marcus Jerome Staley, 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.

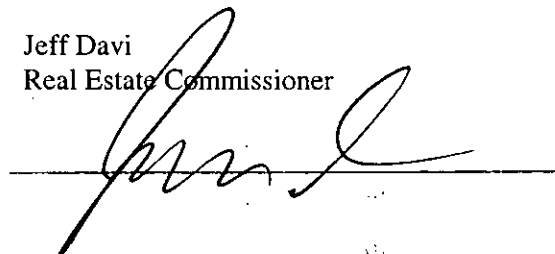
Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to respondent MARCUS JEROME STALEY if respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the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

This Order is effective immediately.

IT IS SO ORDERED

2/22/07

Jeff Davi
Real Estate Commissioner



JENNIFER A. GRANAT, Counsel (SBN 199868)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6907

FILED
NOV - 3 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-33397 LA
MARCUS JEROME STALEY,)	<u>STATEMENT OF ISSUES</u>
Respondent.)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against MARCUS JEROME STALEY ("Respondent"), is informed and 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 December 27, 2004.

II

CRIMINAL CONVICTION

On or about February 29, 1987, in the Superior Court of California, County of Los Angeles, Case No. A793205,

1 Respondent MARCUS JEROME STALEY was convicted of one (1) count
2 of violating California Penal Code Section 211 (robbery) with
3 use of deadly weapon under Penal Code Section 12022(b), a felony
4 and crime involving moral turpitude which is substantially
5 related under Title 10, Chapter 6, Section 2910, California Code
6 of Regulations, to the qualifications, functions or duties of a
7 real estate licensee.

8 III

9 On or about August 28, 1991, in the Superior Court of
10 California, County of Los Angeles, Case No. 91R16650-01,
11 Respondent MARCUS JEROME STALEY was convicted of one (1) count
12 of violating California Penal Code Section 647(b) (disorderly
13 conduct: prostitution), a crime involving moral turpitude which
14 is substantially related under Title 10, Chapter 6, Section
15 2910, California Code of Regulations, to the qualifications,
16 functions or duties of a real estate licensee.

17 IV

18 On or about June 15, 1993, in the Superior Court of
19 California, County of Los Angeles, Case No. 93R06795-01,
20 Respondent MARCUS JEROME STALEY was convicted of one (1) count
21 of violating California Penal Code Section 273.5(a) (inflict
22 corporeal injury on spouse), a crime involving moral turpitude
23 which is substantially related under Title 10, Chapter 6,
24 Section 2910, California Code of Regulations, to the
25 qualifications, functions or duties of a real estate licensee.
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V

1 On or about April 10, 2003, in the Superior Court of
2 California, County of Riverside, Case No. SWM005711, Respondent
3 MARCUS JEROME STALEY was convicted of one (1) count of violating
4 California Penal Code Section 243(e) (battery non-cohabiting
5 spouse), a crime involving moral turpitude which is
6 substantially related under Title 10, Chapter 6, Section 2910,
7 California Code of Regulations, to the qualifications, functions
8 or duties of a real estate licensee.
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10 VI

11 The crimes of which Respondent was convicted, as
12 alleged herein above, constitute cause for denial of
13 Respondent's application for a real estate license under
14 Business and Professions Code Sections 475(a)(2), 480(a)(1)
15 and/or 10177(b).
16

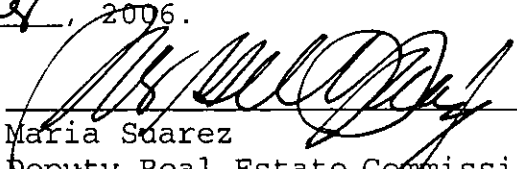
17 These proceedings are brought under the provisions of
18 Section 10100, Division 4 of the Business and Professions Code
19 of the State of California and Sections 11500 through 11528 of
20 the Government Code.

21 WHEREFORE, Complainant prays that the above-referenced
22 matter be set for hearing and, upon proof of the charges
23 contained herein, that the Commissioner refuse to authorize the
24 issuance of, and deny the issuance of, a real estate salesperson
25 license to Respondent, MARCUS JEROME STALEY, and for such other
26
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1 and further relief as may be proper under other provisions of
2 law.

3 Dated at Los Angeles, California

4 this 2nd day of November, 2006.

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6 Maria Suarez
7 Deputy Real Estate Commissioner
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25 cc: Marcus Jerome Staley
26 Maria Suarez
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