

FILED
DEC 14 2007
DEPARTMENT OF REAL ESTATE

K. Niederhölz

In the Matter of the Application of

MICHELLE MARGUERITE FREEMAN

STIPULATION AND WAIVER

Respondent

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 15, 2007, in connection with my application for a real estate broker 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 broker 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 broker license. I further understand that

1 by entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has
2 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an
3 unrestricted real estate broker license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and
5 request that the Real Estate Commissioner in his discretion issue a restricted real estate broker license to me
6 under the authority of Section 10156.5 of the Business and Professions Code.

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

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

- 14 1. The license shall not confer any property right in the privileges to be exercised and the Real
15 Estate Commissioner may by appropriate order suspend the right to exercise any privileges
16 granted under this restricted license in the event of:
 - 17 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
18 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 19 b. The receipt of evidence that respondent has violated provisions of the California Real
20 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
21 conditions attaching to this restricted license.
- 22 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
23 removal of any of the conditions, limitations, or restrictions attaching to the restricted license
24 until two years have elapsed from the date of issuance of the restricted license to respondent.

25 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
26 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
27 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending

1 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
2 of the faxed copy by the Department shall be as binding on Respondent as if the Department had received
3 the original signed Stipulation and Waiver.

4
5 10/25/07
6 Dated

7
8 Michelle M. Freeman
9 MICHELLE MARGUERITE FREEMAN, Respondent

10 * * *

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

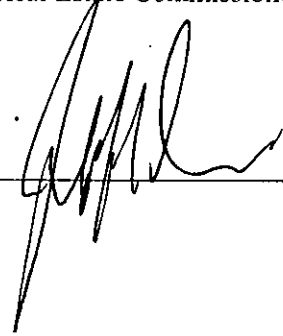
15 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
16 respondent MICHELLE MARGUERITE FREEMAN if respondent has otherwise fulfilled all of the
17 statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as
18 specified in the foregoing Stipulation and Waiver.

19 This Order is effective immediately.

20 IT IS SO ORDERED

21 12-11-07

22 Jeff Davi
23 Real Estate Commissioner

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26
27 

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

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DEC 14 2007
DEPARTMENT OF REAL ESTATE

K. Niederhelfer

7 **DEPARTMENT OF REAL ESTATE**

8 **STATE OF CALIFORNIA**

9
10 *In the Matter of the Application of*

11 MICHELLE MARGUERITE FREEMAN

12
13
14 Respondent

) No. H- 34394 LA
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**STIPULATION AND
WAIVER**

15 I, MICHELLE MARGUERITE FREEMAN, respondent herein, do hereby affirm that I have applied to
16 the Department of Real Estate for a real estate broker license and that to the best of my knowledge I have
17 satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee
18 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 October 15, 2007, in connection with my application for a real
21 estate broker license. I understand that the Real Estate Commissioner may hold a hearing on this Statement
22 of 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 broker 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 broker license. I further understand that
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2 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an
3 unrestricted real estate broker license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and
5 request that the Real Estate Commissioner in his discretion issue a restricted real estate broker license to me
6 under the authority of Section 10156.5 of the Business and Professions Code.

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

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

- 14 1. The license shall not confer any property right in the privileges to be exercised and the Real
15 Estate Commissioner may by appropriate order suspend the right to exercise any privileges
16 granted under this restricted license in the event of:
 - 17 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a
18 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
 - 19 b. The receipt of evidence that respondent has violated provisions of the California Real
20 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or
21 conditions attaching to this restricted license.
- 22 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
23 removal of any of the conditions, limitations, or restrictions attaching to the restricted license
24 until two years have elapsed from the date of issuance of the restricted license to respondent.

25 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
26 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
27 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending

1 to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt
2 of the faxed copy by the Department shall be as binding on Respondent as if the Department had received
3 the original signed Stipulation and Waiver.

4
5 10/25/07
6 Dated

5 Michelle M. Freeman
6 MICHELLE MARGUERITE FREEMAN, Respondent

7 * * *

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

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

16 This Order is effective immediately.

17 IT IS SO ORDERED 12-11-08

18
19 Jeff Davi
20 Real Estate Commissioner

21 [Signature]
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23
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25
26
27

SHARI SVENINGSON, Counsel (SBN 195298)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

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

FILED
OCT 15 2007
DEPARTMENT OF REAL ESTATE

K. Wiederholt

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of	)	NO. H- 34394 LA
	)	
MICHELLE MARGUERITE FREEMAN,	)	
	)	<u>STATEMENT OF ISSUES</u>
	)	
Respondent.	)	
	)	

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Statement of Issues against MICHELLE MARGUERITE FREEMAN, aka Michelle Van Hensbergen ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues against Respondent in her official capacity.

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2.

Respondent made application to the Department of Real Estate of the State of California for a real estate broker license on or about January 30, 2006.

(CRIMINAL CONVICTION)

3.

On or about October 21, 2005, in the Superior Court of California, County of Orange, in case no. 05SF0881MA, Respondent was convicted of violating California Penal Code section 273(A) (Child Endangerment), a felony. This crime involves moral turpitude, which bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

4.

In aggravation of the above, on or about October 21, 2005, in the Superior Court of California, County of Orange, in case no. 05SF0881FA, Respondent was convicted of violating California Vehicle Code section 23152(a) (DUI), a misdemeanor.

5.

The crimes of which Respondent was convicted, as alleged herein above in Paragraph 3, 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).

1 The Statement of Issues is brought under the
2 provisions of Section 10100, Division 4 of the Business and
3 Professions Code of the State of California and Sections 11500
4 and 11529 of the Government Code.

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

11
12 Dated at Los Angeles, California

13 This 11 day of October, 2007.
14

15 
16 Robin Trujillo
17 Deputy Real Estate Commissioner
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23 Cc: MICHELLE MARGUERITE FREEMAN
24 Robin Trujillo
25 Sacto.
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