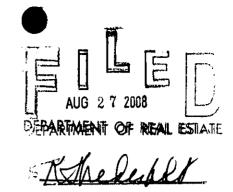
Department of Real Estate 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105

Telephone: (213) 576-6982



# DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

In the Matter of the Application of

RICHARD IRA MONOSON,

Respondent

Respondent

Respondent

I, RICHARD IRA MONOSON, respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

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 July 31, 2008, in connection with my application for a real estate salesperson 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 salesperson 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 salesperson license. I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

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Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an unrestricted real estate salesperson license.

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

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

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

- 1. The license shall not confer any property right in the privileges to be exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
  - a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - b. The receipt of evidence that respondent has violated provisions of the California Real

    Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or
    conditions attaching to this restricted license.
- 2. <u>I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the</u> removal of any of the conditions, limitations, or restrictions attaching to the restricted license until two years have elapsed from the <u>date of issuance</u> of the restricted license to respondent.
- 3. With the application for license, or with the application for transfer to a new employing broker, I shall submit a statement signed by the prospective employing broker on a form approved by the 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.

AUGY 2008

RICHARD IRA MONOSON, Respondent

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 RICHARD IRA MONOSON 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  $\frac{8/17/0}{2}$ 

Jeff Davi

Real Estate Commissioner

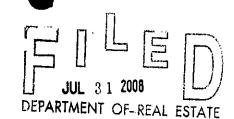
BY: Barbara J. Bigby

**Chief Deputy Commissioner** 

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SHARI SVENINGSON, Counsel (SBN 225005) Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013-1105

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



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## BEFORE THE DEPARTMENT OF REAL ESTATE

#### STATE OF CALIFORNIA

In the Matter of the Application of ) NO. H-35181 LA )

RICHARD IRA MONOSON, ) STATEMENT OF ISSUES )

Respondent. )

The Complainant, Robin Trujillo, a Deputy Real Estate
Commissioner of the State of California, for cause of Statement
of Issues against RICHARD IRA MONOSON, ("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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On or about January 3, 2008, Respondent made application to the Department of Real Estate of the State of California for a real estate salesperson license.

2.

### (CONVICTION)

3.

On or about November 4, 1999, in the California
Superior Court, County of Los Angeles, Case No. LA033523,
Respondent was convicted of violating three (3) counts of Penal
Code Section 550(a)(1)(Present False/Fraud Claim Payment), all
felonies. The underlying facts of these crimes are
substantially related under Title 10, Chapter 6, Section 2910,
California Code of Regulations, to the qualifications, functions
or duties of a real estate licensee.

#### (LICENSE DISCIPLINE)

4.

On or about November 28, 2000, the Board of Chiropractic Examiners of the State of California, in Case No. AC-00-134, ordered that Respondent's chiropractic license be revoked, effective December 27, 2000. As more fully set forth in the Accusation in the above-mentioned case, Respondent was found to have been convicted of the crimes described in paragraph 3, above. Respondent was also found to have conspired to submit false claims for payment to auto insurance companies.

On or about December 24, 2007, Respondent's petition to the Board of Chiropractic Examiners for reinstatement of his

1 License was granted, contingent to compliance of certain bonditions. On or about April 15, 2008, the Board of Chiropractic Examiners stayed the revocation of Respondent's license and 4 placed him on probation for a period of five (5) years. 6 5. 7 The crimes of which Respondent was convicted, as alleged herein above in Paragraph 3, and the allegations 8 contained in Paragraph 4 above, constitute cause for denial of 10 Respondent's application for a real estate license under Business and Professions Code Sections 475(a)(2); 480(a)(1); 11 10177(b); and/or 10177(f). 12 13 These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code 14 15 of the State of California and Sections 11500 through 11528 of the California Government Code. 16 17 111 18 111 19 111 111 20 21 111 22 /// 23 111 24 /// 25 /// 26 111 27 111

- 3 -

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent, RICHARD IRA MONOSON, and for such other and further relief as may be proper in the premises. Dated at Los Angeles, California 29 day of July 

Deputy Real Estate Commissioner

cc: RICHARD IRA MONOSON Robin Trujillo Sacto.