

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

4 Telephone: (213) 576-6982

FILED

JUN 11 2012

DEPARTMENT OF REAL ESTATE
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-37225 LA

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SHIRLEY C. SALAZAR,

STIPULATION
AND
AGREEMENT

Respondent.

16 It is hereby stipulated by and between Respondent
17 SHIRLEY C. SALAZAR, acting on her own behalf, and the
18 Complainant, acting by and through Amelia V. Vetrone, Counsel
19 for the Department of Real Estate, as follows for the purpose of
20 settling and disposing of the Accusation ("Accusation") filed on
21 April 25, 2011, in this matter:

22 1. All issues which were to be contested and all
23 evidence which was to be presented by Complainant and Respondent
24 at a formal hearing on the Accusation, which hearing was to be
25 held in accordance with the provisions of the Administrative
26 Procedure Act ("APA"), shall instead and in place thereof be
27 submitted solely on the basis of the provisions of this

1 Stipulation and Agreement ("Stipulation").

2 2. Respondent has received, read and understands the
3 Statement to Respondent, the Discovery Provisions of the APA and
4 the Accusation filed by the Department of Real Estate in this
5 proceeding.

6 3. Respondent filed a Notice of Defense pursuant to
7 Section 11506 of the Government Code for the purpose of
8 requesting a hearing on the allegations in the Accusation.
9 Respondent hereby freely and voluntarily withdraws said Notice of
10 Defense. Respondent acknowledges that she understands that by
11 withdrawing said Notice of Defense she thereby waives her right
12 to require the Commissioner to prove the allegations in the
13 Accusation at a contested hearing held in accordance with the
14 provisions of the APA and that she will waive other rights
15 afforded to her in connection with the hearing such as the right
16 to present evidence in her defense and the right to cross-examine
17 witnesses.

18 4. This Stipulation is based on the factual
19 allegations contained in the Accusation. In the interest of
20 expedience and economy, Respondent chooses not to contest these
21 allegations, but to remain silent and understands that, as a
22 result thereof, these factual allegations, without being admitted
23 or denied, will serve as a prima facie basis for the disciplinary
24 action stipulated to herein. The Real Estate Commissioner shall
25 not be required to provide further evidence to prove said factual
26 allegations.

1 5. This Stipulation is made for the purpose of
2 reaching an agreed disposition of this proceeding and is
3 expressly limited to this proceeding and any other proceeding or
4 case in which the Department of Real Estate ("Department"), or
5 another licensing agency of this state, another state or if the
6 federal government is involved, and otherwise shall not be
7 admissible in any other criminal or civil proceeding.

8 6. It is understood by the parties that the Real
9 Estate Commissioner may adopt this Stipulation as his or her
10 Decision in this matter thereby imposing the penalty and
11 sanctions on Respondent's real estate license and license rights
12 as set forth in the below "Order". In the event that the
13 Commissioner in his or her discretion does not adopt the
14 Stipulation, the Stipulation shall be void and of no effect and
15 Respondent shall retain the right to a hearing and proceeding on
16 the Accusation under the provisions of the APA and shall not be
17 bound by any stipulation or waiver made herein.

18 7. The Order or any subsequent Order of the Real
19 Estate Commissioner made pursuant to this Stipulation shall not
20 constitute an estoppel, merger or bar to any further
21 administrative or civil proceedings by the Department of Real
22 Estate with respect to any matters which were not specifically
23 alleged to be causes for accusation in this proceeding.

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I,

The conduct of SHIRLEY C. SALAZAR as described in Paragraph 4, herein above, is in violation of Sections 10130, 10177(d), and 10177(g) of the Business and Professions Code ("Code") and is a basis for discipline of Respondent's license and license rights as a violation of the Real Estate Law pursuant to Code Section 10177(d), and 10177(g).

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The real estate salesperson license of Respondent SHIRLEY C. SALAZAR under the Real Estate Law is revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent, pursuant to Section 10156.5 of the Business and Professions Code, if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision.

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1 II.

2 1. The restricted license issued to Respondent may be
3 suspended prior to hearing by Order of the Real Estate
4 Commissioner in the event of Respondent's conviction or plea of
5 nolo contendere to a crime which is substantially related to
6 Respondent's fitness or capacity as a real estate licensee.

7 2. The restricted license issued to Respondent may be
8 suspended prior to hearing by Order of the Real Estate
9 Commissioner on evidence satisfactory to the Commissioner that
10 Respondent has violated provisions of the California Real Estate
11 Law, the Subdivided Lands Law, Regulations of the Real Estate
12 Commissioner or conditions attaching to the restricted license.

13 3. Respondent shall not be eligible to apply for the
14 issuance of an unrestricted real estate license nor for the
15 removal of any of the conditions, limitations or restrictions of
16 a restricted license until two (2) years has elapsed from the
17 effective date of the issuance of the restricted license.

18 4. Respondent shall submit with any application for
19 license under an employing broker, or any application for
20 transfer to a new employing broker, a statement signed by the
21 prospective employing real estate broker on a form approved by
22 the Department of Real Estate which shall certify:

23 (a) That the employing broker has read the
24 Decision of the Commissioner which granted the
25 right to a restricted license; and

26 (b) That the employing broker will exercise
27 close supervision over the performance by the

1 restricted licensee relating to activities for
2 which a real estate license is required.

3 5. Respondent SHIRLEY C. SALAZAR shall, within nine
4 (9) months from the effective date of this Decision, present
5 evidence satisfactory to the Real Estate Commissioner that
6 Respondent has, since the most recent issuance of an original or
7 renewal real estate license, taken and successfully completed the
8 continuing education requirements of Article 2.5 of Chapter 3 of
9 the Real Estate Law for renewal of a real estate license. If
10 Respondent fails to satisfy this condition, the Commissioner may
11 order the suspension of the restricted license until Respondent
12 presents such evidence. The Commissioner shall afford Respondent
13 the opportunity for a hearing pursuant to the Administrative
14 Procedure Act to present such evidence.

15 6. Respondent SHIRLEY C. SALAZAR shall within six (6)
16 months from the effective date of the Decision herein, take and
17 pass the Professional Responsibility Examination administered by
18 the Department including the payment of the appropriate
19 examination fee. If Respondent fails to satisfy this condition,
20 the Commissioner may order suspension of Respondent's license
21 until Respondent passes the examination. The Commissioner shall
22 afford Respondent the opportunity for a hearing pursuant to the
23 Administrative Procedure Act to present such evidence.

24 III.

25 All licenses and licensing rights of Respondent SHIRLEY
26 C. SALAZAR are indefinitely suspended unless or until Respondent
27 provides proof satisfactory to the Commissioner that restitution

1 of advance fees in the amount of \$1500 paid by borrower Hasan as
2 described in the Accusation has been made full.

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5 DATED: 5-16-12

Amelia V. Vetrone
Amelia V. Vetrone, Counsel for
Department of Real Estate

7 * * *

8 EXECUTION OF THE STIPULATION

9 I have read the Stipulation. Its terms are understood
10 by me and are agreeable and acceptable to me. I understand that
11 I am waiving rights given to me by the California Administrative
12 Procedure Act (including but not limited to Sections 11506,
13 11508, 11509 and 11513 of the Government Code), and I willingly,
14 intelligently and voluntarily waive those rights, including the
15 right of requiring the Commissioner to prove the allegations in
16 the Accusation at a hearing at which I would have the right to
17 cross-examine witnesses against me and to present evidence in
18 defense and mitigation of the charges.

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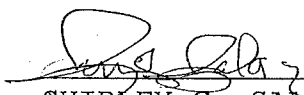
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MAILING AND FACSIMILE

Respondent (1) shall mail the original signed signature page of the stipulation herein to Amelia V. Vetrone: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondent shall also (2) facsimile a copy of signed signature page, to the Department at the following telephone/fax number: (213) 576-6917, Attention: Amelia V. Vetrone.

A facsimile constitutes acceptance and approval of the terms and conditions of this stipulation. Respondent agrees, acknowledges and understands that by electronically sending to the Department a facsimile copy of Respondent's actual signature as it appears on the stipulation that receipt of the facsimile copy by the Department shall be as binding on Respondent as if the Department had received the original signed stipulation.

DATED: May 9, 12


SHIRLEY C. SALAZAR
Respondent

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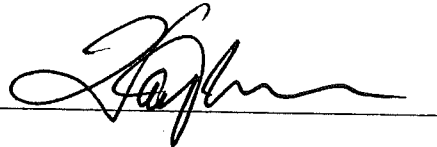
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision as to Respondent SHIRLEY C. SALAZAR, and
shall become effective at 12 o'clock noon on
July 2 _____, 2012.

IT IS SO ORDERED May 28, 2012 .

Real Estate Commissioner



By WAYNE S. BELL
Chief Counsel