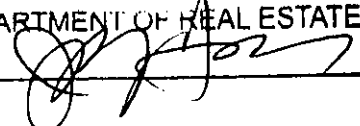


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1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4
5 Telephone: (213) 576-6982
6

FILED

JUL 11 2011

DEPARTMENT OF REAL ESTATE
BY: 

7 DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

9
10 *In the Matter of the Application of*

11 HUGO FRANZ COLLAO,

12
13 Respondent.
14

)
) No. H-37356 LA
)
)

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

15 I, HUGO FRANZ COLLAO, Respondent herein, do hereby affirm that I have applied to the
16 Department of Real Estate for a real estate salesperson 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 June 23, 2011, 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 understand
27 that by entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has

1 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an
2 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 unrestricted
8 real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate Commissioner.
9 However, I am not waiving my right to a hearing and to further proceedings to obtain a restricted or
10 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 restricted
12 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 right
14 of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to
15 exercise any privileges granted under this restricted license in the event of:
 - 16 a. Respondent's conviction (including a plea of nolo contendere) of 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 for
- 5 which a license is required.
- 6 4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a
- 7 certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000,
- 8 Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's arrest, the crime
- 9 for which Respondent was arrested and the name and address of the arresting law enforcement
- 10 agency. Respondent's failure to timely file written notice shall constitute an independent
- 11 violation of the terms of the restricted license and shall be grounds for the suspension or
- 12 revocation of that license.

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

19
 20 7/6/2011
 21 Dated


 22 HUGO FRANZ COLLAO, 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.
4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

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

HUGO FRANZ COLLAO, 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 HUGO FRANZ COLLAO 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

July 11, 2011.

Barbara J. Bigby
Acting Real Estate Commissioner

Dolores Weeks
By: DOLORES WEEKS
Regional Manager

1 JULIE L. TO, Counsel (SBN 219482)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6916

FILED

JUN 23 2011

DEPARTMENT OF REAL ESTATE

BY: 

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11
12 In the Matter of the Application of) NO. H-37356 LA
13 HUGO FRANZ COLLAO,) STATEMENT OF ISSUES
14 Respondent.)
15

16 The Complainant, Maria Suarez, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against HUGO FRANZ COLLAO ("Respondent"), is informed and
19 alleges as follows:

20 1.

21 The Complainant, Maria Suarez, a Deputy Real Estate
22 Commissioner of the State of California, makes this Statement of
23 Issues against Respondent in her official capacity.

24 2.

25 On or about September 27, 2010, Respondent made an
26 application to the Department of Real Estate of the State of
27 California for a real estate salesperson license.

1 disclosed. However, you may omit traffic citations which do not
2 constitute a misdemeanor or felony." Respondent answered "No"
3 and failed to disclose the convictions set forth in Paragraph 3,
4 above.

5 7.

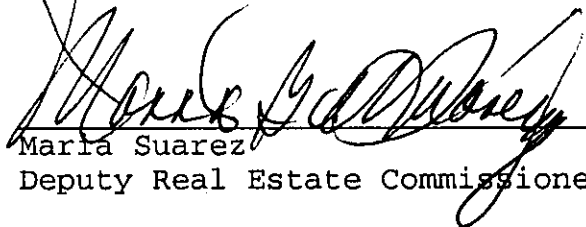
6 Respondent's failure to disclose the conviction as set
7 forth in Paragraph 3 above, in his license application
8 constitutes the attempt to procure a real estate license by
9 fraud, misrepresentation, or deceit, or by making a false
10 statement of material fact required to be revealed in said
11 application, which is grounds for denial of the issuance of a
12 license under Business and Professions Code Sections 475(a)(1),
13 480(c) and 10177(a).

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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, HUGO FRANZ COLLAO, and for such other and further relief as may be proper in the premises.

Dated at Los Angeles, California
this 22nd day of June, 2011.



Maria Suarez
Deputy Real Estate Commissioner

cc: HUGO FRANZ COLLAO
JefMeg Inc.
Maria Suarez
Sacto