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Department of Real Estate
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Los Angeles, CA 90013-1105

JUL 10 2012

Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: Guadalupe Valencia

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of

No. H-37542 LA

VICTOR MELGOZA GALLARDO,

STIPULATION AND WAIVER

Respondent.

It is hereby stipulated by and between, VICTOR MELGOZA GALLARDO, (hereinafter "Respondent") and the Complainant, acting by and through James A. Demus, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on September 20, 2011 in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate (hereinafter "the Department") in connection with Respondent's application for a mortgage loan originator license endorsement (hereinafter "MLO license endorsement"). Respondent understands that the Real Estate Commissioner (hereinafter "the Commissioner") may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant Respondent a restricted MLO license endorsement based upon this Stipulation and Waiver.

Respondent also understands that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent

1 meets all the requirements for issuance of an MLO license endorsement. Respondent further understands
2 that by entering into this Stipulation and Waiver Respondent will be stipulating that the Real Estate
3 Commissioner has found that Respondent has failed to make such a showing, thereby justifying the
4 denial of the issuance to Respondent of an unrestricted MLO license endorsement.

5 Respondent hereby admits that the allegations of the Statement of Issues filed against
6 Respondent are true and correct and requests that the Real Estate Commissioner in his discretion issue a
7 restricted MLO license endorsement to Respondent under the authority of Section 2945.4 of Title 10,
8 California Code of Regulations and Sections 10156.5 and 10166.051(a) of the Business and Professions
9 Code.

10 Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving
11 Respondent's right to a hearing and the opportunity to present evidence at the hearing if this Stipulation
12 and Waiver is accepted by the Real Estate Commissioner. However, Respondent is not waiving
13 Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted MLO
14 license endorsement if this Stipulation and Waiver is not accepted by the Commissioner.

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

17 1. The MLO license endorsement shall not confer any property right in the privileges to be
18 exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order
19 suspend the right to exercise any privileges granted under this restricted MLO license endorsement in the
20 event of:

- 21 a. The conviction of Respondent (including a plea of nolo contendere) to a crime which
22 bears a substantial relationship to respondent's fitness or capacity as a real estate or
23 MLO licensee; or
24 b. The receipt of evidence that respondent has violated provisions of the California Real
25 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner
26 or conditions attaching to this restricted MLO license endorsement.

27 2. Respondent shall not be eligible to apply for the issuance of an unrestricted MLO license

1 endorsement nor the removal of any of the conditions, limitations or restrictions attaching to the
2 restricted MLO license endorsement until two years have elapsed from the date of issuance of the
3 restricted MLO license endorsement to Respondent.

4 3. With the application for an MLO license endorsement, or with the application for transfer to a
5 new employing broker, Respondent shall submit a statement signed by the prospective employing broker
6 on a form approved by the Department wherein the employing broker shall certify as follows:

- 7 a) That the broker has read the Statement of Issues which is the basis for the
8 issuance of the restricted MLO license endorsement; and
9 b) That the broker will carefully review all transaction documents prepared by the
10 restricted MLO license endorsement holder and otherwise exercise close supervision
11 over the licensee's performance of acts for which a MLO license endorsement is
12 required.

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

20
21
22 DATED

6/1/12


JAMES A. DEMUS, Counsel,
Department of Real Estate

24 I have read the Stipulation and Waiver and its terms are understood by me and are agreeable
25 and acceptable to me. I understand that I am waiving rights given to me by the California Administrative
26 Procedure Act (including but not limited to Section 11506, 11508, 11509, and 11513 of the Government
27

1 Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing
2 on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to
3 present evidence in defense and mitigation of the charges.

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

10
11 DATED

06/01/2012



VICTOR MELGOZA GALLARDO, Respondent

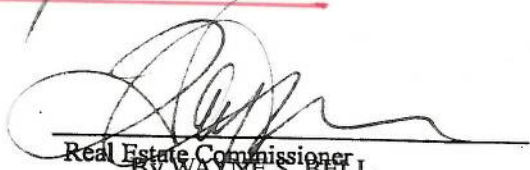
13 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed
14 by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty
15 and truthfulness of Respondent need not be called and that it will not be inimical to the public interest to
16 issue a restricted endorsement to Respondent.

17 Therefore, IT IS HEREBY ORDERED that a restricted mortgage loan originator license
18 endorsement be issued to respondent VICTOR MELGOZA GALLARDO, if Respondent has otherwise
19 fulfilled all of the statutory requirements for an endorsement. The restricted mortgage loan originator
20 license endorsement shall be limited, conditioned and restricted as specified in the foregoing Stipulation
21 and Waiver.

22 This Order is effective immediately.

23 IT IS SO ORDERED

6/29/12

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26 
27 Real Estate Commissioner
By WAYNE S. BELL
Chief Counsel