

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

4 Telephone: (213) 576-6982

**FILED**

DEC 07 2012

DEPARTMENT OF REAL ESTATE  
BY: 

7 **DEPARTMENT OF REAL ESTATE**

8 **STATE OF CALIFORNIA**

9 *In the Matter of the Application of*

10 ROBERT DUANE GRIFFIN,

12 Respondent

) No. H-37830 LA  
) OAH NO. 2012050946  
)  
) **STIPULATION AND**  
) **WAIVER**  
)  
)  
)  
)

14  
15 It is hereby stipulated by and between ROBERT DUANE GRIFFIN (hereinafter "Respondent") and  
16 Respondent's attorney, Sanford Parke, and the Complainant, acting by and through Julie To , Counsel for  
17 the Department of Real Estate, as follows for the purpose of settling and disposing of the First Amended  
18 Statement of Issues filed on July 13, 2012 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues and the  
20 Statement to Respondent filed by the Department of Real Estate in connection with Respondent's  
21 application for a real estate broker license. Respondent understands that the Real Estate Commissioner may  
22 hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty  
23 and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and  
24 grant Respondent a restricted real estate broker license based upon this Stipulation and Waiver. Respondent  
25 also understands that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting  
26 the burden to Respondent to make a satisfactory showing that Respondent meets all the requirements for  
27 issuance of a real estate broker license. Respondent further understands that by entering into this stipulation

1 and waiver, Respondent will be stipulating that the Real Estate Commissioner has found that Respondent  
2 has failed to make such a showing, thereby justifying the denial of the issuance to Respondent of an  
3 unrestricted real estate broker license.

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

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

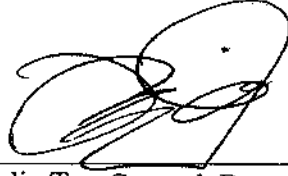
13 Respondent further understands that the following conditions, limitations, and restrictions will attach to  
14 a restricted license issued by the Department of Real Estate pursuant hereto:

- 15 1. The license shall not confer any property right in the privileges to be exercised including the right  
16 of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to  
17 exercise any privileges granted under this restricted license in the event of:
  - 18 a. Respondent's conviction (including a plea of nolo contendere) of a crime which bears a  
19 substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
  - 20 b. The receipt of evidence that Respondent has violated provisions of the California Real  
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or  
22 conditions attaching to this restricted license.
- 23 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor  
24 the removal of any of the conditions, limitations, or restrictions attaching to the restricted license  
25 until three years have elapsed from the date of issuance of the restricted license to Respondent.
- 26 3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a  
27 certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000,

1 Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's arrest, the crime  
2 for which Respondent was arrested and the name and address of the arresting law enforcement  
3 agency. Respondent's failure to timely file written notice shall constitute an independent  
4 violation of the terms of the restricted license and shall be grounds for the suspension or  
5 revocation of that license.

6  
7 10-30-12

8 Dated



9 Julie To, Counsel, Department of Real Estate

10 \* \* \*

11 I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood  
12 by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the  
13 California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and  
14 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including  
15 the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses  
16 against me and to present evidence in defense and mitigation of the charges.

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

23  
24 Dated

25 ROBERT DUANE GRIFFIN, Respondent

10/24/2012 WBD 8:46 FAX

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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.

Dated

Julie To , Counsel, Department of Real Estate

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I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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.

10/26/12

Dated

  
ROBERT DUANE GRIFFIN, Respondent

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///



1 I have reviewed the Stipulation and Waiver as to form and content and have advised my client  
2 accordingly.

3 26 Oct 2012

4 Dated



SANFORD PARKE, Attorney for Respondent

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

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

14 This Order is effective immediately.

15 IT IS SO ORDERED

16 11/28/2012

17 Real Estate Commissioner



18 By WAYNE S. BELL  
19 Chief Counsel