

FILED

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

DEPARTMENT OF REAL ESTATE
BY: R. Medeiros

Telephone: (213) 576-6982

**DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

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| <i>In the Matter of the Application of</i> |) | No. H- 38034 LA |
| Engelbert Elvis Del Castillo, |) | STIPULATION AND WAIVER |
| Respondent. |) | |

I, ENGELBERT ELVIS DEL CASTILLO, Respondent herein, do hereby affirm that I have applied to the Department of Real Estate for a real estate broker 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 April 10, 2012, in connection with my application for a real estate broker 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 broker 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 broker license. I further understand that by entering into this stipulation

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

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

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

13 I further understand that the following conditions, limitations and restrictions will attach to a
14 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 and the
16 Real Estate Commissioner may by appropriate order suspend the right to exercise any
17 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
19 bears a substantial relationship to Respondent's fitness or capacity as a real estate
20 licensee; or
 - 21 b. The receipt of evidence that Respondent has violated provisions of the California
22 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate
23 Commissioner, or conditions attaching to this restricted license.
- 24 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
25 removal of any of the conditions, limitations, or restrictions attaching to the restricted
26 license until three year(s) have elapsed from the date of issuance of the restricted license
27 to Respondent.

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

8 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation
9 and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the
10 Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that
11 by electronically sending to the Department a fax copy of his actual signature as it appears on the
12 Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on
13 Respondent as if the Department had received the original signed Stipulation and Waiver.

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16 _____
 Dated

Engelbert Elvis Del Castillo, Respondent

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

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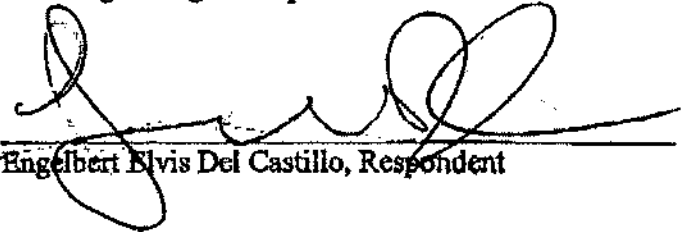
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3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the 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 (916) 227-9458. 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.

8/3/2012

Dated


Engelbert Elvis Del Castillo, 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 broker license to Respondent.

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1 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
2 Respondent ENGELBERT ELVIS DEL CASTILLO if Respondent has otherwise fulfilled all of the
3 statutory requirements for licensure. The restricted license shall be limited, conditioned, and
4 restricted as specified in the foregoing Stipulation and Waiver.

5 This Order is effective immediately.

6 IT IS SO ORDERED

9/11/2012

Real Estate Commissioner

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11 By  WAYNE S. BELL
12 Chief Counsel