


Sachs Files

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

3  
4 Telephone: (213) 576-6982

**FILED**

**JAN 10 2013**

DEPARTMENT OF REAL ESTATE  
BY: 

8 **DEPARTMENT OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 *In the Matter of the Application of* ) No. H- 38366 LA  
12 )  
13 BRENT KUNZ, ) **STIPULATION AND WAIVER**  
14 )  
15 Respondent. )

16 I, BRENT KUNZ, Respondent herein, do hereby affirm that I have applied to the Department of  
17 Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied  
18 all of the statutory requirements for the issuance of the license, including the payment of the fee  
19 therefor.

20 I acknowledge that I have received and read the Statement of Issues and the Statement to  
21 Respondent filed by the Department of Real Estate on August 23, 2012, in connection with my  
22 application for a real estate salesperson license. I understand that the Real Estate Commissioner  
23 may hold a hearing on this Statement of Issues for the purpose of requiring further proof of my  
24 honesty and truthfulness and to prove other allegations therein, or that he may in his discretion  
25 waive the hearing and grant me a restricted real estate salesperson license based upon this  
26 Stipulation and Waiver. I also understand that by filing the Statement of Issues in this matter the  
27 Real Estate Commissioner is shifting the burden to me to make a satisfactory showing that I meet

1 all the requirements for issuance of a real estate salesperson license. I further understand that by  
2 entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has  
3 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me  
4 of an unrestricted real estate salesperson license.

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

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

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

- 17 1. The license shall not confer any property right in the privileges to be exercised including  
18 the right of renewal, and the Real Estate Commissioner may by appropriate order suspend  
19 the right to exercise any privileges granted under this restricted license in the event of:
  - 20 a. Respondent's conviction (including a plea of nolo contendere) of a crime which  
21 bears a substantial relationship to Respondent's fitness or capacity as a real estate  
22 licensee; or
  - 23 b. The receipt of evidence that Respondent has violated provisions of the California  
24 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
25 Commissioner or conditions attaching to this restricted license.

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- 1       2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
2       removal of any of the conditions, limitations, or restrictions attaching to the restricted  
3       license until two years have elapsed from the date of issuance of the restricted license to  
4       Respondent.
- 5       3. With the application for license, or with the application for transfer to a new employing  
6       broker, I shall submit a statement signed by the prospective employing broker on a form  
7       approved by the Department of Real Estate wherein the employing broker shall certify as  
8       follows:
- 9       a. That broker has read the Statement of Issues which is the basis for the issuance of  
10       the restricted license; and
- 11       b. That broker will carefully review all transaction documents prepared by the  
12       restricted licensee and otherwise exercise close supervision over the licensee's  
13       performance of acts for which a license is required.
- 14       4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by  
15       sending a certified letter to the Commissioner at the Department of Real Estate, Post  
16       Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of  
17       Respondent's arrest, the crime for which Respondent was arrested and the name and  
18       address of the arresting law enforcement agency. Respondent's failure to timely file  
19       written notice shall constitute an independent violation of the terms of the restricted  
20       license and shall be grounds for the suspension or revocation of that license.

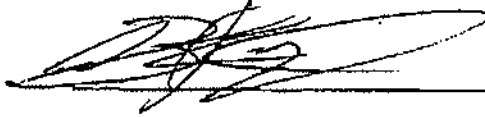
21       Respondent can signify acceptance and approval of the terms and conditions of this Stipulation  
22       and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the  
23       Department at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that  
24       by electronically sending to the Department a fax copy of his actual signature as it appears on

25       ///

26       ///

1 the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on  
2 Respondent as if the Department had received the original signed Stipulation and Waiver.

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4 11.15.12



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6 Dated

Brent Kunz, Respondent

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

14 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
15 issued to Respondent BRENT KUNZ if Respondent has otherwise fulfilled all of the statutory  
16 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as  
17 specified in the foregoing Stipulation and Waiver.

18 This Order is effective immediately.

19 IT IS SO ORDERED \_\_\_\_\_

20 Real Estate Commissioner  
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1 the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on  
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6 Dated

Brent Kunz, Respondent

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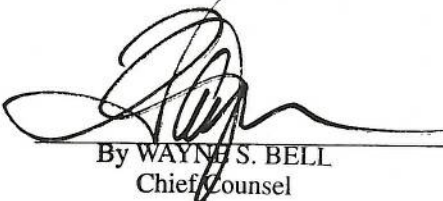
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17 specified in the foregoing Stipulation and Waiver.

18 This Order is effective immediately.

19 IT IS SO ORDERED 12/31/2012

20  
21 Real Estate Commissioner

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23   
24 By WAYNE S. BELL  
25 Chief Counsel  
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