

FILED

SEP 04 2013

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

Telephone: (213) 576-6982

BUREAU OF REAL ESTATE

By Laura B. Olson

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of

No. H- 39026 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 this matter:

Respondent does hereby affirm that Respondent has applied to the Department of Real Estate for an individual mortgage loan originator license endorsement (hereinafter "MLO license endorsement"), and that to the best of Respondents knowledge Respondent has satisfied all of the statutory requirements for the issuance of the individual MLO license endorsement including, but not limited to, the payment of the fee therefore.

Respondent acknowledges that by entering into this Stipulation and Waiver, Respondent is stipulating that the Real Estate Commissioner has found grounds that justify the denial of the issuance of an unrestricted individual MLO license endorsement to Respondent pursuant to California Business and Professions Code (hereinafter "Code") Section 10166.05(b) and 10166.05(c), and Section 2945.2, Title 10, California Code of Regulations, due to Respondent's felony criminal convictions.

Respondent hereby requests that the Real Estate Commissioner in his discretion issue a

1 restricted individual MLO license endorsement to Respondent based upon this Stipulation and Waiver,
2 under the authority of Code Section 10100.4 and Regulation 2945.4. Respondent understands that any
3 such restricted MLO license endorsement will be issued subject to the provisions of and limitations of
4 Code Section 10156.7.

5 Respondent understands that by signing of this Stipulation and Waiver, provided this
6 Stipulation and Wavier is accepted and signed by the Real Estate Commissioner, the Real Estate
7 Commissioner will not file a Statement of Issues based on the grounds herein, and Respondent is waiving
8 Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish
9 Respondent's qualifications for issuance of an unrestricted individual MLO license endorsement.

10 Respondent further understands that the following conditions, limitations and restrictions
11 will attach to a restricted individual MLO license endorsement issued by the Department of Real Estate
12 pursuant hereto:

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

17 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
18 bears a substantial relationship to Respondent's fitness or capacity to hold a real estate
19 license or an individual MLO licensee endorse; 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
22 or conditions attaching to this restricted MLO license endorsement.

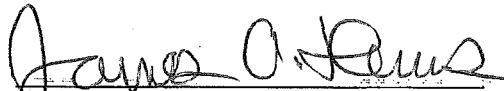
23 2. Respondent shall not be eligible to apply for the issuance of an unrestricted individual MLO
24 license endorsement nor the removal of any of the conditions, limitations or restrictions attaching to the
25 restricted individual MLO license endorsement until two years have elapsed from the date of issuance of
26 the individual restricted MLO license endorsement to Respondent.

27 3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending

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

7
8
9 DATED

6/13/13


JAMES A. DEMUS, Counsel,
Department of Real Estate

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

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

24
25 DATED

06/03/2013



VICTOR MELGOZA GALLARDO, Respondent

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

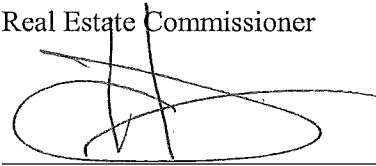
5 Therefore, IT IS HEREBY ORDERED that a restricted mortgage loan originator license
6 endorsement be issued to respondent VICTOR MELGOZA GALLARDO, if Respondent has otherwise
7 fulfilled all of the statutory requirements for an endorsement. The restricted mortgage loan originator
8 license endorsement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

10 This Order is effective immediately.

11 IT IS SO ORDERED

July 29, 2013.

12 Real Estate Commissioner

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15 **By: JEFFREY MASON**
16 **Chief Deputy Commissioner**
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