

1 Bureau of Real Estate  
2 320 W. 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

DEC 30 2014

BUREAU OF REAL ESTATE

By *Hans*

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11 *In the Matter of the Application of*  
12 ANGEL PINEDA, JR.,  
13 Respondent.

No. H-39458 LA

**STIPULATION AND WAIVER**

15 It is hereby stipulated by and between ANGEL PINEDA, JR. (hereinafter  
16 "Respondent"), Respondent's attorney, Frank M. Buda of the Law Offices of Frank M. Buda, and  
17 the Complainant, acting by and through Amelia V. Vetrone, Counsel for the Bureau of Real Estate,  
18 as follows for the purpose of settling and disposing of the Second Amended Statement of Issues  
19 filed on August 28, 2014, in this matter:

20 Respondent acknowledges that Respondent has received and read the Statement of  
21 Issues and the Statement to Respondent filed by the Bureau of Real Estate in connection with  
22 Respondent's application for a real estate broker license. Respondent understands that the Real  
23 Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring  
24 further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or  
25 that he may in his discretion waive the hearing and grant Respondent a restricted real estate  
26 salesperson license based upon this Stipulation and Waiver. Respondent also understands that by

1 filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to  
2 Respondent to make a satisfactory showing that Respondent meets all the requirements for issuance  
3 of a real estate broker license. Respondent further understands that by entering into this stipulation  
4 and waiver, Respondent will be stipulating that the Real Estate Commissioner has found that  
5 Respondent has failed to make such a showing, thereby justifying the denial of the issuance to  
6 Respondent of an unrestricted real estate broker license.

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

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

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

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

22 (a) Respondent's conviction (including a plea of nolo contendere) of a crime which  
23 bears a substantial relationship to Respondent's fitness or capacity as a real estate licensee;  
24 or

25 (b) The receipt of evidence that Respondent has violated provisions of the  
26 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
27 Commissioner or conditions attaching to this restricted license.

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2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to Respondent.

3. With the application for license, or with the application for transfer to a new employing broker, Respondent shall submit a statement signed by the prospective employing broker on a form approved by the Bureau of Real Estate wherein the employing broker shall certify as follows:

(a) That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and

(b) That broker will carefully review all transaction documents prepared by the restricted licensee and otherwise exercise close supervision over the licensee's performance of acts for which a license is required.

4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. 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: 12-12-14

Amelia V. Vetrone  
Amelia V. Vetrone  
Counsel for the  
Bureau of Real Estate

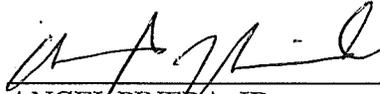
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2 I have read the Stipulation and Waiver, have discussed it with my counsel, and its  
3 terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
4 rights given to me by the California Administrative Procedure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

9 Respondent can signify acceptance and approval of the terms and conditions of this  
10 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to  
11 the Bureau at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that  
12 by electronically sending to the Bureau a fax copy of her actual signature as it appears on the  
13 Stipulation and Waiver, that receipt of the faxed copy by the Bureau shall be as binding on  
14 Respondent as if the Bureau had received the original signed Stipulation and Waiver.

15  
16 DATED: 12/04/14

  
17 ANGEI PINEDA, JR.  
Respondent

18  
19 I have reviewed the Stipulation and Agreement as to form and content and have  
20 advised my client accordingly.

21  
22 DATED: 12-9-14

  
23 Frank M. Buda  
Attorney for Respondent

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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 salesperson license to Respondent.

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

This Order is effective immediately.

IT IS SO ORDERED DEC 22 2014.

Real Estate Commissioner



By: JEFFREY MASON  
Chief Deputy Commissioner