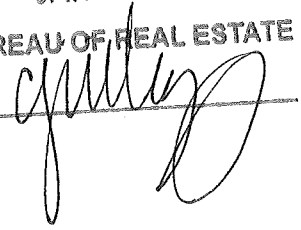


FILED

JAN 30 2015

BUREAU OF REAL ESTATE

By



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

Telephone: (213) 576-6982

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*

In the Matter of the Application of

Robert Raymond Montenegro,

Respondent.

No. H-39724 LA

**STIPULATION AND**

**WAIVER**

(B&P 10100.4)

I, Robert Raymond Montenegro, ("Respondent") do hereby affirm that I have applied to the Bureau of Real Estate for a real estate salesperson license, and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including, but not limited to, the payment of the fee therefor.

I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the Real Estate Commissioner has found grounds that justify the denial of the issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to deny the issuance of an unrestricted real estate salesperson license to me pursuant to California Business

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1 and Professions Code Section 10177(f) for the following license discipline: On or about August  
2 16, 2012, before the Secretary of State of the State of California, in case no. 2012-0322-AD, the  
3 Secretary of State issued a Default Decision revoking the appointment and commission of  
4 Respondent as a notary public based upon Respondent's conviction on or about January 3, 2012,  
5 in the Superior Court of California, County of Los Angeles, case no. 1PS03352, for violating  
6 California Penal Code Section 242 (battery), a misdemeanor.

7 I hereby request that the Real Estate Commissioner in his discretion issue a restricted real  
8 estate salesperson license to me under the authority of California Business and Professions Code  
9 Sections 10100.4 and 10156.5. I understand that any such restricted license will be issued  
10 subject to the provisions of and limitations of California Business and Professions Code Sections  
11 10156.6 and 10156.7.

12 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation  
13 and Waiver is accepted and signed by the Real Estate Commissioner, the Real Estate  
14 Commissioner will not file a Statement of Issues based on the grounds herein, and I am waiving  
15 my right to a hearing and the opportunity to present evidence at the hearing to establish my  
16 rehabilitation in order to obtain an unrestricted real estate salesperson license.

17 I further understand that the following conditions, limitations, and restrictions will attach  
18 to a restricted real estate salesperson 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  
21 order suspend the right to exercise any privileges granted under this restricted license  
22 in the event of:

23 a. The conviction of respondent (including a plea of nolo contendere) to a crime  
24 that bears a substantial relationship to Respondent's fitness or capacity as a real  
25 estate licensee; or

26 b. The receipt of evidence that Respondent has violated provisions of the  
27 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real

1 Estate Commissioner, or conditions attaching to this restricted license.

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

6 3. I shall notify the Real Estate Commissioner in writing within 72 hours of any arrest  
7 by sending a certified letter to the Real Estate Commissioner at the Bureau of Real  
8 Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set  
9 forth the date of Respondent's arrest, the crime for which Respondent was arrested,  
10 and the name and address of the arresting law enforcement agency. Respondent's  
11 failure to timely file written notice shall constitute an independent violation of the  
12 terms of the restricted license and shall be grounds for the suspension or revocation  
13 of that license.

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

18 a. That broker has read the Stipulation and Waiver which is the basis for the  
19 issuance of the restricted license; and

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

23  
24 01/14/2015  
Dated

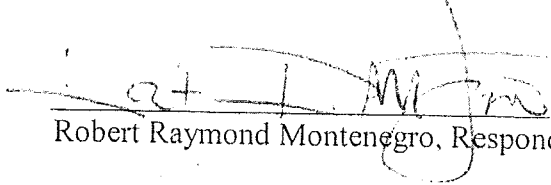
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Counsel  
Bureau of Real Estate

25  
26 5. I have read the Stipulation and Waiver, and its terms are understood by me and are  
27

1 agreeable and acceptable to me. I understand that I am waiving rights given to me by  
2 the California Administrative Procedure Act (including, but not limited to, California  
3 Government Code Sections 11504, 11506, 11508, 11509, and 11513), and I  
4 willingly, intelligently, and voluntarily waive those rights, including, but not limited  
5 to, the right to a hearing on a Statement of Issues at which I would have the right to  
6 cross-examine witnesses against me and to present evidence in defense and  
7 mitigation of the charges.

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

16  
17 12/26/2014  
18 Dated

19  
20   
21 Robert Raymond Montenegro, Respondent

22 I have read the foregoing Stipulation and Waiver signed by Respondent. I am satisfied  
23 that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of  
24 Respondent need not be called and that it will not be inimical to the public interest to issue a  
25 restricted real estate salesperson license to Respondent.

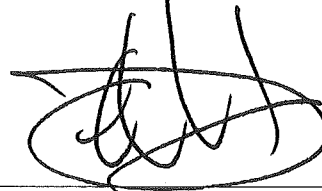
26 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
27 issued to Respondent Robert Raymond Montenegro if Respondent has otherwise fulfilled all of  
the statutory requirements for licensure. The restricted salesperson license shall be limited.

1 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

2 This Order is effective immediately.

3 IT IS SO ORDERED January 26, 2015.

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5 REAL ESTATE COMMISSIONER

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9 By: JEFFREY MASON  
Chief Deputy Commissioner

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