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FILED

OCT 13 2015

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	No. H-39847 LA
)	
ANTONIO QUEVEDO CHAVEZ,)	OAH No. 2015060137
)	
Respondent.)	
)	

STIPULATION AND WAIVER AND DECISION AFTER REJECTION

I, ANTONIO QUEVEDO CHAVEZ, Respondent herein, acknowledge that I have received and read the Statement of Issues filed by the Bureau of Real Estate on May 26, 2015, and the Statement to Respondent sent to me in connection with the Statement of Issues.

I hereby admit that the allegations contained in the Statement of Issues filed against me are true and correct and constitute a basis for the denial of my real estate salesperson license application.

I further acknowledge that the Real Estate Commissioner held a hearing on this Statement of Issues on July 14, 2015, before the Office of Administrative Hearings for the purpose of proving the allegations therein. I was present at the hearing and represented myself. Further, I have had an opportunity to read and review the Proposed Decision of the Administrative Law Judge.

1 I understand that pursuant to Government Code Section 11517(c), the Real
2 Estate Commissioner has rejected the Proposed Decision of the Administrative Law Judge.
3 I further understand that pursuant to the same Section 11517(c), the Real Estate Commissioner
4 may decide this case upon the record, including the transcript, without taking any additional
5 evidence, after affording me the opportunity to present written argument to the Real Estate
6 Commissioner.

7 I further understand that by signing this Stipulation and Waiver, I am waiving
8 my right to obtain a dismissal of the Statement of Issues through proceedings under
9 Government Code Section 11517(c) if this Stipulation and Waiver is accepted by the Real
10 Estate Commissioner. However, I also understand that I am not waiving my rights to further
11 proceedings to obtain a dismissal of the Statement of Issues if this Stipulation and Waiver is not
12 accepted by the Real Estate Commissioner.

13 I hereby request that the Real Estate Commissioner in his discretion deny my
14 application for a real estate salesperson license and issue to me a restricted real estate
15 salesperson license under the authority of Section 10156.5 of the Business and Professions
16 Code if I make application therefor and pay to the Bureau of Real Estate the appropriate fee for
17 said license within 90 days from the effective date of the Decision herein.

18 I further understand that the restricted license shall be subject to the provisions
19 of Section 10156.7 of the Business and Professions Code and the following conditions,
20 limitations and restrictions will attach to the restricted license issued by the Bureau of Real
21 Estate.

22 By reason of the foregoing and solely for the purpose of settlement of the
23 Statement of Issues without further administrative proceedings, it is stipulated and agreed that
24 the Commissioner shall adopt the following Order:

25 ///

26 ///

27 ///

ORDER

Respondent's application for a real estate license is denied; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code. The restricted salesperson license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

1. The license shall not confer any property right in the privileges to be exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
 - (a) The conviction of Respondent (including a plea of nolo contendere) of a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee; or
 - (b) The receipt of evidence that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to this restricted license.
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 three (3) 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 the employing broker has read the Decision which is the

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basis for the issuance of the restricted license; and

(b) That the employing 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.

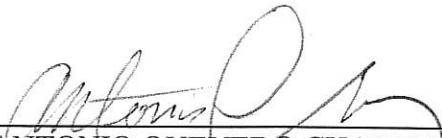
DATED: 9-25-2015



Counsel
Bureau of Real Estate

I have read the Stipulation and Waiver and its terms are agreeable and acceptable to me. I understand that I am waiving my rights given to me by the California Administrative Procedure Act (including but not limited to Section 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights.

DATED: 9-17-2015



ANTONIO QUEVEDO CHAVEZ
Respondent

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I have read the Statement of Issues filed herein, the Proposed Decision of the Administrative Law Judge dated August 7, 2015, and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that it will not be inimical to the public interest to issue a restricted salesperson license to Respondent.

Therefore, IT IS HEREBY ORDERED that the application for real estate salesperson license of Respondent be denied and 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 shall become effective at 12 o'clock noon on NOV 03 2015.

IT IS SO ORDERED 10/6/2015

WAYNE S. BELL
REAL ESTATE COMMISSIONER
