| 1 2 3 4 5 | Bureau of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013 Telephone: (213) 576-6982 | FILED JUL 10 2015 BUREAU OF REAL ESTATE By Agrif Marine | | |
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| 8 | BEFORE THE BUREAU OF REAL ESTATE | | | |
| 9 | STATE OF CALIFORNIA | | | |
| 10 | * * * | | | |
| 11 | In the Matter of the Application of () | NO.H- 39908 LA | | |
| 12 | SHAYNE CHRISTOPHER LONG,) | STIPULATION AND WAIVER | | |
| 13 | Respondent.) | (B&P 10100.4) | | |
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| 15 | I, SHAYNE CHRISTOPHER LONG ("Respondent"), do hereby affirm that I have | | | |
| 16 | applied to the Bureau of Real Estate for a real estate salesperson license, and that to the best of | | | |
| 17 | my knowledge I have satisfied all of the statutory requi | | | |
| 18 | including, but not limited to, the payment of the fee the | | | |
| 19 | I acknowledge that by entering into this Stipula | | | |
| 20 | Real Estate Commissioner has found grounds that just | | | |
| 21 | unrestricted real estate salesperson license to me. I agr | ee that there are grounds to deny the | | |
| 22 | issuance of an unrestricted real estate salesperson license to me pursuant to California Business | | | |
| 23 | and Professions Code sections 475(a)(2), 480(a), and 10177(b) for the following convictions: | | | |
| 24 | On or about January 18, 2002, in the Superior Court of California, County of Monterey, case no. | | | |
| 25 | SS010995 A, Respondent was convicted of violating California Penal Code section 191.5(a) | | | |
| 26 | (gross vehicular manslaughter while intoxicated), a felony, and California Vehicle Code section | | | |
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| 1 | 23153(a) (driving under the influence with bodily injury to another person and a prior | | |
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| 2 | conviction on or about September 8, 2000 for driving under the influence in court number | | |
| 3 | 27470 and docket number S182301), a misdemeanor. I hereby request that the Real Estate | | |
| 4 | Commissioner in his discretion issue a restricted real estate salesperson license to me under the | | |
| 5 | authority of California Business and Professions Code sections 10100.4 and 10156.5. I | | |
| 6 | understand that any such restricted license will be issued subject to the provisions of and | | |
| 7 | limitations of California Business and Professions Code sections 10156.6 and 10156.7. | | |
| 8 | I understand that by my signing of this Stipulation and Waiver, provided this Stipulation | | |
| 9 | and Waiver is accepted and signed by the Real Estate Commissioner, the Real Estate | | |
| 10 | Commissioner will not file a Statement of Issues based on the grounds herein, and I am waiving | | |
| 11 | my right to a hearing and the opportunity to present evidence at the hearing to establish my | | |
| 12 | rehabilitation in order to obtain an unrestricted real estate salesperson license. | | |
| 13 | I further understand that the following conditions, limitations, and restrictions will attach | | |
| 14 | to a restricted real estate salesperson license issued by the Bureau of Real Estate pursuant | | |
| 15 | hereto: | | |
| 16 | 1. The license shall not confer any property right in the privileges to be exercised | | |
| 17 | including the right of renewal, and the Real Estate Commissioner may by | | |
| 18 | appropriate order suspend the right to exercise any privileges granted under this | | |
| 19 | restricted license in the event of: | | |
| 20 | a. The conviction of Respondent (including a plea of nolo contendere) to a | | |
| 21 | crime that bears a substantial relationship to Respondent's fitness or | | |
| 22 | capacity as a real estate licensee; or | | |
| 23 | b. The receipt of evidence that Respondent has violated provisions of the | | |
| 24 | California Real Estate Law, the Subdivided Lands Law, Regulations of | | |
| 25 | the Real Estate Commissioner, or conditions attaching to this restricted | | |
| 26 | license. | | |
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| 1 | 2. | I shall not be eligible to apply for the issuance of an unrestricted real estate | | |
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| 2 | | license nor the removal of any of the conditions, limitations, or restrictions | | |
| 3 | | attaching to the restricted license until three (3) years have elapsed from the date | | |
| 4 | | of issuance of the restricted license to Respondent. | | |
| 5 | 3. | I shall notify the Real Estate Commissioner in writing within 72 hours of any | | |
| 6 | | arrest by sending a certified letter to the Real Estate Commissioner at the Bureau | | |
| 7 | | of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter | | |
| 8 | | shall set forth the date of Respondent's arrest, the crime for which Respondent | | |
| 9 | was arrested, and the name and address of the arresting law enforcement agency. | | | |
| 10 | | Respondent's failure to timely file written notice shall constitute an independent | | |
| 11 | | violation of the terms of the restricted license and shall be grounds for the | | |
| 12 | | suspension or revocation of that license. | | |
| 13 | 4. With the application for license or with the application for transfer to a new | | | |
| 14 | employing broker, I shall submit a statement signed by the prospective | | | |
| 15 | employing broker on a form approved by the Bureau of Real Estate, such as the | | | |
| 16 | Restricted Salesperson Change Application (RE 214A), 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 | | |
| 21 | | the restricted licensee and otherwise exercise close supervision over the | | |
| 22 | | licensee's performance of acts for which a license is required. | | |
| 23 | | | | |
| 24 | DATED: | 06/25/2015 | | |
| 25 | | Diane Lee, Counsel Bureau of Real Estate | | |
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1 5. I have read the Stipulation and Waiver, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including, but not limited to, California Government Code sections 11504, 11506, 11508, 11509, and 11513), and I willingly, intelligently, and voluntarily waive those rights, including, but not limited to, the right to a hearing on a Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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

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DATED: 6/25/15 17

Respondent

19 I have read the foregoing Stipulation and Waiver signed by Respondent. I am satisfied 20 that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of 21 Respondent need not be called and that it will not be inimical to the public interest to issue a 22 restricted real estate salesperson license to Respondent.

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| 1 | Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be | | | | |
| 2 | issued to Respondent SHAYNE CHRISTOPHER LONG if Respondent has otherwise fulfilled | | | | |
| 3 | all of the statutory requirements for licensure. The restricted salesperson license shall be | | | | |
| 4 | limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver. | | | | |
| 5 | This Order is effective immediately. | | | | |
| 6 | IT IS SO ORDERED JUNE 30, 2015. | | | | |
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| 8 | REAL ESTATE COMMISSIONER | | | | |
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| 11 | By: JEFFREY MASON Chief Deputy Commissioner | | | | |
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