

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

3
4 Telephone: (213) 576-6982

FILED

APR 05 2016

BUREAU OF REAL ESTATE

By *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of

12 HOWARD TSANG

13 Respondent.

} No. H- 40189 LA

} **STIPULATION AND WAIVER**

14
15 I, HOWARD TSANG ("Respondent") do hereby affirm that I have applied to the Bureau
16 of Real Estate ("Bureau") for a real estate salesperson license, and that to the best of my
17 knowledge I have satisfied all of the statutory requirements for the issuance of the license,
18 including, but not limited to, the payment of the fee therefor.

19 I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the
20 Real Estate Commissioner ("Commissioner") has found grounds that justify the denial of the
21 issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to
22 deny the issuance of an unrestricted real estate salesperson license to me pursuant to Sections
23 480(a), 480(c), 10177(a) and 10177(b) of the Business and Professions Code ("the Code") for my
24 failure to reveal a violation of California Penal Code Section 484 (petty theft), a misdemeanor, on
25 my license application..

26 I hereby request that the Commissioner in his discretion issue a restricted real
27 estate salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the Code.

1 I understand that any such restricted license will be issued subject to the provisions and limitations
2 of Sections 10156.6 and 10156.7 of the Code.

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

8 I agree that by signing this Stipulation and Waiver, the conditions, limitations, and
9 restrictions imposed on my restricted license, identified below, may be removed only by filing a
10 Petition for Removal of Restrictions ("Petition") with the Commissioner, and that my Petition
11 must follow the procedures set forth in Government Code Section 11522.

12 I further understand that the restricted license issued to me shall be subject to all of the
13 provisions of Section 10156.7 of the Code and to the following limitations, conditions and
14 restrictions imposed under authority of Section 10156.6 of the Code:

- 15 1. The restricted license shall not confer any property right in the privileges to be
16 exercised including the right of renewal, and the Commissioner may by appropriate
17 order suspend the right to exercise any privileges granted under the restricted license in
18 the event of:
 - 19 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
20 bears a substantial relationship to Respondent's fitness or capacity as a real estate
21 licensee; or
 - 22 b. The receipt of evidence that Respondent has violated provisions of the California
23 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner,
24 or conditions attaching to the restricted license.
- 25 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real
26 estate license nor the removal of any of the conditions, limitations, or restrictions
27 attaching to the restricted license until two (2) years have elapsed from the date of

1 issuance of the restricted license to Respondent. Respondent shall not be eligible to
2 apply for any unrestricted licenses until all restrictions attaching to the license have
3 been removed.

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

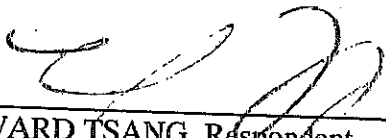
11 4. With the application for license or with the application for transfer to a new
12 employing broker, Respondent shall submit a statement signed by the prospective
13 employing broker on a form approved by the Bureau wherein the employing broker
14 shall certify as follows:

- 15 a. That the broker has read the Stipulation and Waiver which is the basis for the
16 issuance of the restricted license; and
- 17 b. That the broker will carefully review all transaction documents prepared by the
18 restricted licensee and otherwise exercise close supervision over the licensee's
19 performance of acts for which a license is required.

20 Respondent has read this Stipulation and Waiver, and its terms are understood by
21 Respondent and are agreeable and acceptable to Respondent. Respondent understands that
22 Respondent is waiving rights given to Respondent by the Administrative Procedure Act
23 (including, but not limited to, Government Code Sections 11504, 11506, 11508, 11509, and
24 11513), and Respondent willingly, intelligently, and voluntarily waives those rights, including, but
25 not limited to, the right to a hearing on a Statement of Issues at which Respondent would have the
26 right to cross-examine witnesses against Respondent and to present evidence in defense and
27 mitigation of the charges.

1 Respondent can signify acceptance and approval of the terms and conditions of this
2 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent,
3 to the Bureau at the following fax number: (213) 576-6917. Respondent agrees, acknowledges,
4 and understands that by electronically sending to the Bureau a fax copy of Respondent's actual
5 signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Bureau
6 shall be as binding on Respondent as if the Bureau had received the original signed Stipulation
7 and Waiver.

8
9 3/2/2016
10 Dated

11 
12 _____
13 HOWARD TSANG, Respondent

14 * * *

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

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

23 _____
24 This Order is effective immediately.
25 _____

26 IT IS SO ORDERED _____
27

REAL ESTATE COMMISSIONER

1 Respondent can signify acceptance and approval of the terms and conditions of this
2 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent,
3 to the Bureau at the following fax number: (213) 576-6917. Respondent agrees, acknowledges,
4 and understands that by electronically sending to the Bureau a fax copy of Respondent's actual
5 signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Bureau
6 shall be as binding on Respondent as if the Bureau had received the original signed Stipulation
7 and Waiver.

8
9
10 _____
Dated

HOWARD TSANG, Respondent

11 * * *

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

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

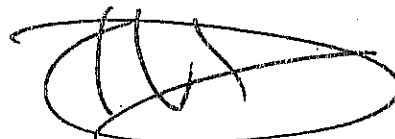
20 _____
This Order is effective immediately.
21 _____

22 IT IS SO ORDERED

MARCH 25, 2016.

23 WAYNE S. BELL

24 REAL ESTATE COMMISSIONER

25 

26 _____
By: JEFFREY MASON
Chief Deputy Commissioner