

**FILED**

**JUN 28 2018**

**BUREAU OF REAL ESTATE**

By *[Signature]*

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

**BEFORE THE BUREAU OF REAL ESTATE**

**STATE OF CALIFORNIA**

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In the Matter of the Application of

CHENG-LIN WU

Respondent(s).

No. H- 40734 LA

**STIPULATION AND WAIVER**

It is hereby stipulated by and between CHENG-LIN WU ("Respondent") and Respondent's attorney, Raffy Boulgourjian, and the Complainant, acting by and through Steve Chu, Counsel for the Bureau of Real Estate ("Bureau"), as follows for the purpose of settling and disposing of the Statement of Issues filed on September 7, 2017, in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Bureau in connection with Respondent's application for a real estate salesperson license. Respondent understands that the Real Estate Commissioner ("Commissioner") may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant Respondent a restricted real estate salesperson license based upon this Stipulation and Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent meets all the requirements for

1 issuance of a real estate salesperson license. Respondent further understands that by entering into  
2 this Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that  
3 Respondent has failed to make such a showing, thereby justifying the denial of the issuance to  
4 Respondent of an unrestricted real estate salesperson license.

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

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

15 Respondent agrees that by signing this Stipulation and Waiver, the conditions, limitations,  
16 and restrictions imposed on Respondent's restricted license, identified below, may be removed  
17 only by filing a Petition for Removal of Restrictions ("Petition") with the Commissioner, and that  
18 Respondent's Petition must follow the procedures set forth in Government Code Section 11522.

19 Respondent further understands that the restricted license issued to Respondent shall be  
20 subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,  
21 conditions and restrictions imposed under authority of Section 10156.6 of the Code:

- 22 1. The restricted license shall not confer any property right in the privileges to be  
23 exercised including the right of renewal, and the Commissioner may by appropriate  
24 order suspend the right to exercise any privileges granted under the restricted license  
25 in the event of:

1           a. Respondent's conviction (including a plea of nolo contendere) of a crime which  
2           bears a substantial relationship to Respondent's fitness or capacity as a real  
3           estate licensee; or

4           b. The receipt of evidence that Respondent has violated provisions of the  
5           California Real Estate Law, the Subdivided Lands Law, Regulations of the  
6           Commissioner, or conditions attaching to the restricted license.

7           2. Respondent shall not be eligible to petition for the issuance of an unrestricted real  
8           estate license nor the removal of any of the conditions, limitations, or restrictions  
9           attaching to the restricted license until two years have elapsed from the date of  
10          issuance of the restricted license to Respondent. Respondent shall not be eligible to  
11          apply for any unrestricted licenses until all restrictions attaching to the license have  
12          been removed.

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


17           a. That the broker has read the Statement of Issues which is the basis for the  
18           issuance of the restricted license; and

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

22          4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by  
23          sending a certified letter to the Commissioner at the Bureau of Real Estate, Post  
24          Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of  
25          Respondent's arrest, the crime for which Respondent was arrested and the name and  
26          address of the arresting law enforcement agency. Respondent's failure to timely file  
27          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.

6-4-2018  
Dated

  
Steve Chu, Counsel  
Bureau of Real Estate

\* \* \*

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

Respondent shall send a hard copy of the original signed Stipulation and Waiver to Steve Chu, Bureau of Real Estate, 320 West 4th Street, Suite 350 Los Angeles, CA 90013-1105.

In the event of time constraints before an administrative hearing, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a scanned copy of the signature page, as actually signed by Respondent, to the Bureau counsel assigned to this case. Respondent agrees, acknowledges and understands that by electronically sending the Bureau a scan of Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the scan by the Bureau shall be binding on Respondent as if the Bureau had received the original signed Stipulation and Waiver.

Dated

CHENG-LIN WU, Respondent

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Dated \_\_\_\_\_ Steve Chu, Counsel  
Bureau of Real Estate

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5/31/2018  
Dated

  
CHENG LIN WU, Respondent

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*I have reviewed this Stipulation and Waiver as to form and content and have advised my client accordingly.*

*5-31-18*



Dated

Raffy Boulgourjian  
Attorney for Respondent

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I have read the Statement of Terms filed hereon 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**

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WAYNE S. BELL  
REAL ESTATE COMMISSIONER

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Dated

Raffy Boulgourjian  
Attorney for Respondent

\* \* \*

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This Order is effective immediately.

IT IS SO ORDERED June 26, 2018

WAYNE S. BELL  
REAL ESTATE COMMISSIONER



By: DANIEL J. SANDRI  
Chief Deputy Commissioner