

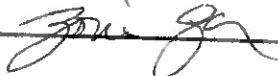
1 Bureau of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED

DEC - 8 2017

BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12 NICHOLAS GEORGE NOTERMAN,) H-40878 LA
13 Respondent.) STIPULATION AND WAIVER

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15 I, NICHOLAS GEORGE NOTERMAN ("Respondent") do hereby affirm that I have
16 applied to the Bureau of Real Estate ("Bureau") for a real estate salesperson license, and that to the
17 best of my knowledge I have satisfied all of the statutory requirements for the issuance of the
18 license, 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 10177(a) and 10177(b) of the Business and Professions Code ("Code") for the following:

- 24 • June 21, 2006 conviction for violation of California Vehicle Code section 23103(a),
25 (reckless driving), a misdemeanor, in the Superior Court of California, County of Orange,
26 Case No. 06SM02709;
- 27 • May 2, 2005 conviction for violation of California Penal Code section 484(a) (theft), a

1 misdemeanor, in the Superior Court of California, County of Orange, Case No.
2 05SM01633; and

- 3 • failure to disclose these convictions on my real estate salesperson application.

4 I hereby request that the Commissioner in his discretion issue a restricted real estate
5 salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the Code. I
6 understand that any such restricted license will be issued subject to the provisions and limitations of
7 Sections 10156.6 and 10156.7 of the Code.

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

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

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

- 20 1. The restricted license shall not confer any property right in the privileges to be exercised
21 including the right of renewal, and the Commissioner may by appropriate order suspend
22 the right to exercise any privileges granted under the restricted license in the event of:
 - 23 a. Respondent’s conviction (including a plea of nolo contendere) of a crime that
24 bears a substantial relationship to Respondent’s fitness or capacity as a real estate
25 licensee; or
 - 26 b. The receipt of evidence that Respondent has violated provisions of the California
27 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or

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conditions attaching to the restricted license.

2. Respondent shall not be eligible to petition 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 two (2) years have elapsed from the date of issuance of the restricted license to Respondent. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.


3. Respondent shall notify the Commissioner in writing within seventy-two (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.

4. 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 wherein the employing broker shall certify as follows:

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

b. That the 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.

11-21-2017
Dated _____



Judith B. Vasan, Counsel
Bureau of Real Estate

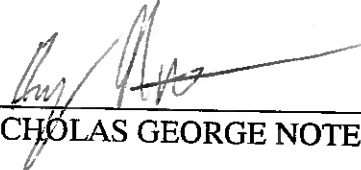
* * *

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

9 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
10 Judith B. Vasan, Bureau of Real Estate, 320 W. 4th Street, Suite 350, Los Angeles, California
11 90013.

12 11-14-2017

13 Dated

14 
NICHOLAS GEORGE NOTERMAN, Respondent

15 * * *

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

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