

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

4 Telephone: (213) 576-6982

FILED

FEB 13 2018

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 BRYAN WILLIAM GROSH

13 Respondent.

) H- 40924 LA

) STIPULATION AND WAIVER

14
15 I, BRYAN WILLIAM GROSH ("Respondent") do hereby affirm that I have applied to the
16 Bureau 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)(1), 480(d), 10177(a), and 10177(b)(1) of the Business and Professions Code ("Code") for
24 the following convictions and for my failure to fully disclose said convictions:

- 25
- On or about February 8, 2007: Violation of A.R.S § 28-1595(b) (operator failure to show DL/ID), a misdemeanor.
 - On or about August 18, 1997: Violation of Penal Code §484(e) (sell/etc access card: int: fraud), a misdemeanor, and Penal Code §503 (embezzlement), a misdemeanor.
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2 I hereby request that the Commissioner in his discretion issue a restricted real estate
3 salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the Code. I
4 understand that any such restricted license will be issued subject to the provisions and limitations of
5 Sections 10156.6 and 10156.7 of the Code.

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

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

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

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

1 estate license nor the removal of any of the conditions, limitations, or restrictions
2 attaching to the restricted license until two (2) years have elapsed from the date of
3 issuance of the restricted license to Respondent. Respondent shall not be eligible to
4 apply for any unrestricted licenses until all restrictions attaching to the license have
5 been removed.

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

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

17 a. That the broker has read the Stipulation and Waiver 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
23 Dated 1/25/18

24 Michelle Nijm
Michelle Nijm, Counsel
Bureau of Real Estate

25 * * *

26 Respondent has read this Stipulation and Waiver, and its terms are understood by
27 Respondent and are agreeable and acceptable to Respondent. Respondent understands that

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

7 Respondent shall send a hard copy of the original signed Stipulation and Waiver to Michelle
8 Nijm, Bureau of Real Estate, 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105.

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

16
17 22 Jan 2018
18 Dated

19 
20 BRYAN WILLIAM GROSH, Respondent

21 * * *

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

26 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be
27 issued to Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for
licensure. The restricted salesperson license shall be limited, conditioned, and restricted as

1 specified in the foregoing Stipulation and Waiver.

2 This Order is effective immediately.

3 IT IS SO ORDERED 2/8/18

4 WAYNE S. BELL
5 REAL ESTATE COMMISSIONER

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8 By: DANIEL J. SANDRI
9 Chief Deputy Commissioner

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