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JAN 16 2019

DEPT. OF REAL ESTATE

By [Signature]

Department of Real Estate  
320 West 4th Street, Suite 350  
Los Angeles, California 90013

Telephone: (213) 576-6982

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Application of	)	No. H- 41267 LA
	)	
Joel Michael Bohi,	)	<b><u>STIPULATION AND WAIVER</u></b>
	)	
Respondent.	)	
	)	

I, Joel Michael Bohi ("Respondent"), do hereby affirm that I have applied to the Department of Real Estate for a real estate salesperson license, and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including, but not limited to, the payment of the fee therefor.

I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the Real Estate Commissioner has found grounds that justify the denial of the issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to deny the issuance of an unrestricted real estate salesperson license to me pursuant to California Business and Professions Code sections 475(a)(1), 475(a)(2), 480(a), 480(d), 10177(a), and 10177(b) due to the following convictions and my failure to reveal these convictions: on or about June 27, 2006, in the Superior Court of California, County of Orange, case no. 06SM02818, I was convicted of violating California Vehicle Code section 23103(a) (wet reckless driving), a

1 misdemeanor; on or about January 23, 2007, in the Superior Court of California, County of  
2 Orange, case no. 06SM04212, I was convicted of violating California Penal Code sections  
3 148(a)(1) (obstructing a peace officer), a misdemeanor; and on or about February 18, 2009, in  
4 the Superior Court of California, County of Orange, case no. 08SF0939, I was convicted of  
5 violating California Vehicle Code sections 23153(a) (driving under the influence causing bodily  
6 injury to another) and 23153(b) (driving with a blood alcohol level of 0.08 percent of more  
7 causing bodily injury to another), both felonies.

8 I hereby request that the Real Estate Commissioner in his discretion issue a restricted  
9 real estate salesperson license to me under the authority of California Business and Professions  
10 Code sections 10100.4 and 10156.5. I understand that any such restricted license will be issued  
11 subject to the provisions of and limitations of California Business and Professions Code sections  
12 10156.6 and 10156.7.

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

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

22 I further understand that the following conditions, limitations, and restrictions will attach  
23 to a restricted real estate salesperson license issued by the Department of Real Estate pursuant  
24 hereto:

- 25 1. The license shall not confer any property right in the privileges to be exercised  
26 including the right of renewal, and the Real Estate Commissioner may by  
27

1 appropriate order suspend the right to exercise any privileges granted under this  
2 restricted license in the event of:

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

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

10 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real  
11 estate license nor the removal of any of the conditions, limitations, or restrictions  
12 attaching to the restricted license until two (2) years have elapsed from the date  
13 of issuance of the restricted license to Respondent.

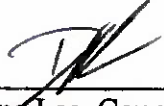
14 3. Respondent shall notify the Real Estate Commissioner in writing within 72 hours  
15 of any arrest by sending a certified letter to the Real Estate Commissioner at the  
16 Department of Real Estate, P.O. Box 137013, Sacramento, CA 95813-7013. The  
17 letter shall set forth the date of Respondent's arrest, the crime for which  
18 Respondent was arrested, and the name and address of the arresting law  
19 enforcement agency. Respondent's failure to timely file written notice shall  
20 constitute an independent violation of the terms of the restricted license and shall  
21 be grounds for the suspension or revocation of that license.

22 4. With the application for license or with the application for transfer to a new  
23 employing broker, Respondent shall submit a statement signed by the prospective  
24 employing broker on a form approved by the Department of Real Estate, such as  
25 the Prospective Employing Broker Certification (RE 552), wherein the  
26 employing broker shall certify as follows:

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

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

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7 DATED: 01/04/2019

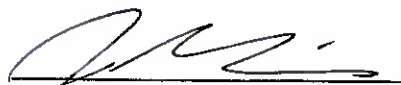
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9 \_\_\_\_\_  
10 Diane Lee, Counsel  
11 Department of Real Estate

12 Respondent has read this Stipulation and Waiver, and its terms are understood by  
13 Respondent and are agreeable and acceptable to Respondent. Respondent understands that  
14 Respondent is waiving rights given to Respondent by the California Administrative Procedure  
15 Act (including, but not limited to, California Government Code sections 11504, 11506, 11508,  
16 11509, and 11513), and Respondent willingly, intelligently, and voluntarily waives those rights,  
17 including, but not limited to, the right to a hearing on a Statement of Issues at which Respondent  
18 would have the right to cross-examine witnesses against Respondent and to present evidence in  
19 defense and mitigation of the charges.

20 Respondent shall send a hard copy of the original signed Stipulation and Waiver to  
21 Diane Lee, Department of Real Estate, 320 West 4th St., Ste. 350, Los Angeles, CA 90013-  
22 1105. In the event of time constraints before an administrative hearing, Respondent can signify  
23 acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a  
24 copy of its signature page, as actually signed by Respondent, to the Department of Real Estate at  
25 the following telephone/fax number: (213) 576-6917. Respondent agrees, acknowledges, and  
26 understands that by electronically sending to the Department of Real Estate a fax copy of his  
27 actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the

1 Department of Real Estate shall be as binding on Respondent as if the Department of Real  
2 Estate had received the original signed Stipulation and Waiver.

3  
4 DATED: 12/27/2018

  
Joel Michael Bohi, Respondent

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

10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be  
11 issued to Respondent Joel Michael Bohi if Respondent has otherwise fulfilled all of the statutory  
12 requirements for licensure. The restricted salesperson license shall be limited, conditioned, and  
13 restricted as specified in the foregoing Stipulation and Waiver.

14 This Order is effective immediately.

15 IT IS SO ORDERED January 14, 2019.

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17 DANIEL J. SANDRI  
18 ACTING REAL ESTATE COMMISSIONER

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