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2 Department of Real Estate
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FILED

SEP 24 2019

DEPT. OF REAL ESTATE

By 

7 BEFORE THE DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 *In the Matter of the Application of*)
11 MARITZA SAUCEDO,) H-41377 LA
12 Respondent.)
13 STIPULATION AND WAIVER

14 It is hereby stipulated by and between Martiza Saucedo (“Respondent”) and the
15 Complainant, acting by and through Laurence Haveson, Counsel for the Department of Real Estate
16 (“Department”), as follows for the purpose of settling and disposing of the Statement of Issues filed
17 on June 14, 2019 in this matter:

18 Respondent acknowledges that Respondent has received and read the Statement of Issues
19 and the Statement to Respondent filed by the Department in connection with Respondent’s
20 application for a real estate salesperson license. Respondent understands that the Real Estate
21 Commissioner (“Commissioner”) may hold a hearing on this Statement of Issues for the purpose of
22 requiring further proof of Respondent’s honesty and truthfulness and to prove other allegations
23 therein, or that he may in his discretion waive the hearing and grant Respondent a restricted real
24 estate salesperson license based upon this Stipulation and Waiver. Respondent also understands
25 that by filing the Statement of Issues in this matter the Commissioner is shifting the burden to
26 Respondent to make a satisfactory showing that Respondent meets all the requirements for issuance
27 of a real estate salesperson license. Respondent further understands that by entering into this
28 Stipulation and Waiver, Respondent will be stipulating that the Commissioner has found that

1 Respondent has failed to make such a showing, thereby justifying the denial of the issuance to
2 Respondent of an unrestricted real estate salesperson license.

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


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

13 Respondent agrees that by signing this Stipulation and Waiver, the conditions, limitations,
14 and restrictions imposed on Respondent's restricted license, identified below, may be removed only
15 by filing a Petition for Removal of Restrictions ("Petition") with the Commissioner, and that
16 Respondent's Petition must follow the procedures set forth in Government Code section 11522.
17 Respondent further understands that the restricted license issued to Respondent shall be subject to
18 all of the provisions of Code section 10156.7 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 which
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
28 conditions attaching to the restricted license.

- 1 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate
2 license nor the removal of any of the conditions, limitations, or restrictions attaching to
3 the restricted license until two (2) years have elapsed from the date of issuance of the
4 restricted license to Respondent. Respondent shall not be eligible to apply for any
5 unrestricted licenses until all restrictions attaching to the license have been removed.
- 6 3. With the application for license, or with the application for transfer to a new employing
7 broker, Respondent shall submit a statement signed by the prospective employing
8 broker on a form approved by the Department wherein the employing broker shall
9 certify as follows:
- 10 a. That the broker has read the Statement of Issues which is the basis for the issuance
11 of the restricted license; and
- 12 b. That the broker will carefully review all transaction documents prepared by the
13 restricted licensee and otherwise exercise close supervision over the licensee's
14 performance of acts for which a license is required.
- 15 4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by
16 sending a certified letter to the Commissioner at the Department of Real Estate, Post
17 Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of
18 Respondent's arrest, the crime for which Respondent was arrested and the name and
19 address of the arresting law enforcement agency. Respondent's failure to timely file
20 written notice shall constitute an independent violation of the terms of the restricted
21 license and shall be grounds for the suspension or revocation of that license.

22 8/27/2019
23 Dated

22 
23 Laurence Haveson, Counsel
24 Department 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
28 Respondent is waiving rights given to Respondent by the California Administrative Procedure Act

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

5 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
6 Laurence Haveson, Department of Real Estate, 320 W. 4th Street, Suite 350, Los Angeles, CA
7 90013-1105.

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

15
16 Aug. 23rd, 2019
Dated

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16 
Maritza Saucedo, Respondent

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18 * * *

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

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

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This Order is effective immediately.

IT IS SO ORDERED September 9, 2019.

DANIEL SANDRI
REAL ESTATE COMMISSIONER

Daniel J. Sandri