

1 Department of Real Estate
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2 Los Angeles, CA 90013-1105
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FILED

JAN 16 2020

DEPT. OF REAL ESTATE

By Zoi Ja

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 In the Matter of the Application of)

DRE No. H-41579 LA

12 GUSTAVO ARNOLDO RODRIGUEZ,)

13 Respondent.)

STIPULATION AND WAIVER
(Mortgage Loan Originator License
Endorsement)

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16 It is hereby stipulated by and between, GUSTAVO ARNOLDO RODRIGUEZ,
17 (“Respondent”) and the Complainant, acting by and through Judith B. Vasan, Counsel for the
18 Department of Real Estate, as follows for the purpose of settling and disposing of this matter:

19 Respondent does hereby affirm that Respondent has applied to the Department of Real
20 Estate (“Department”) for an individual salesperson mortgage loan originator license endorsement
21 (“MLO License Endorsement”), and that to the best of Respondent’s knowledge Respondent has
22 satisfied all of the statutory requirements for the issuance of the MLO License Endorsement
23 including, but not limited to, the payment of the fee therefor.

24 Respondent acknowledges that by entering into this Stipulation and Waiver, Respondent is
25 stipulating that the Real Estate Commissioner (“Commissioner”) has found grounds that justify the
26 denial of the issuance of an unrestricted MLO License Endorsement to Respondent pursuant to
27 Sections 10166.05 and 10166.051 of the Business and Professions Code (“the Code”), and Sections

1 2945.2 and 2945.3 of Title 10 of the California Code of Regulations ("the Regulations") due to
2 Respondent's criminal convictions and unsatisfied civil judgement.

3 Respondent hereby requests that the Commissioner in his discretion issue a restricted MLO
4 License Endorsement to Respondent based upon this Stipulation and Waiver, under the authority of
5 Sections 10100.4 and 10156.5 of the Code and Section 2945.4 of the Regulations. Respondent
6 understands that any such restricted MLO License Endorsement will be issued subject to the
7 provisions and limitations of Sections 10156.6 and 10156.7 of the Code.

8 Respondent understands that by Respondent's signing of this Stipulation and Waiver,
9 provided this Stipulation and Waiver is accepted and signed by the Commissioner, the
10 Commissioner will not file a Statement of Issues based on the grounds herein, and Respondent is
11 waiving Respondent's right to a hearing and the opportunity to present evidence at the hearing to
12 establish Respondent's qualifications for issuance of an unrestricted MLO License Endorsement.

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

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

- 22 1. The restricted MLO License Endorsement shall not confer any property rights in the
23 privileges to be exercised including the right to renewal, and the Commissioner may by
24 appropriate order suspend the right to exercise any privileges granted under the
25 restricted MLO License Endorsement in the event of:
 - 26 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
27 bears a substantial relationship to Respondent's fitness or capacity to hold a real


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- estate license or an MLO License Endorsement; or
 - b. The receipt of evidence that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or conditions attaching to the restricted MLO License Endorsement.
2. Respondent shall not be eligible to petition for the issuance of an unrestricted MLO License Endorsement nor the removal of any of the conditions, limitations or restrictions attaching to the restricted MLO License Endorsement until two (2) years have elapsed from the date of issuance of the restricted MLO License Endorsement to Respondent.
3. With the application for an MLO License Endorsement, or with the request to transfer to a new responsible broker through Nationwide Multistate Licensing System and Registry ("NMLS"), Respondent shall submit a statement signed by the prospective responsible broker on a form approved by the Department 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 MLO License Endorsement; and
 - b. That the broker will carefully review all transaction documents prepared by the restricted MLO License Endorsement holder and otherwise exercise close supervision over the restricted MLO License Endorsement holder's performance of acts for which an MLO License Endorsement is required.
4. 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 Department 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 MLO License Endorsement and shall be grounds for the suspension or

1 revocation of that MLO License Endorsement.

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3 11-22-2019

4 Dated

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6 Judith B. Vasan, Counsel
7 Department of Real Estate

8 * * *

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

14 Respondent shall send a hard copy of the original signed Stipulation and Waiver to the
15 Department of Real Estate, Attn: Judith B. Vasan, 320 West Fourth Street, Suite 350, Los Angeles,
16 CA 90013-1105.

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

24 11-22-19

25 Dated

26 
27 GUSTAVO ARNOLDO RODRIGUEZ, Respondent

* * *

I have read 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

1 restricted individual salesperson Mortgage Loan Originator License Endorsement to Respondent.

2 Therefore, IT IS HEREBY ORDERED that a restricted individual salesperson Mortgage
3 Loan Originator License Endorsement be issued to Respondent, if Respondent has otherwise
4 fulfilled all of the statutory requirements for mortgage loan originator license endorsement. The
5 restricted individual salesperson Mortgage Loan Originator License Endorsement shall be limited,
6 conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

7 This Order is effective immediately.

8 IT IS SO ORDERED 12/27/19.

9 SANDRA KNAU
10 ACTING REAL ESTATE COMMISSIONER

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