

Santa Monica

FILED

APR - 6 2020

DEPT. OF REAL ESTATE

By 

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

4 Telephone: (213) 576-6982

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 *In the Matter of the Application of*

12 EDWARD ALAN SHEPHERD,

13 Respondent.

) H-41648 LA
) Case No. 4-18-1113-020

) STIPULATION AND WAIVER
)

14
15 I, Edward Alan Shepherd ("Respondent") do hereby affirm that I have applied to the
16 Department of Real Estate for a mortgage loan originator ("MLO") license endorsement, and that
17 to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the
18 license endorsement, 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 MLO license endorsement to me. I agree that there are grounds to deny
22 the issuance of an unrestricted MLO license endorsement to me pursuant to sections 10166.05 and
23 10177(f) of the Business and Professions Code ("Code") for prior disciplinary action by the
24 California Board of Accountancy against me.

25 I hereby request that the Commissioner in her discretion issue a restricted MLO license
26 endorsement to me under the authority of Code sections 10100.4, 10156.5, and 10166.051. I
27 understand that any such restricted MLO license endorsement will be issued subject to the

1 provisions and limitations of sections 10156.6 and 10156.7 of the Code.

2 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation
3 and Waiver is accepted and signed by the Commissioner, the Commissioner will not file a
4 Statement of Issues based on the grounds herein, and I am waiving my right to a hearing and the
5 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
6 unrestricted MLO license endorsement.

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

11 I further understand that the restricted MLO license endorsement issued to me shall be
12 subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,
13 conditions and restrictions imposed under authority of Section 10156.6 of the Code:

- 14 1. The restricted MLO license endorsement shall not confer any property right in the
15 privileges to be exercised including the right of renewal, and the Commissioner may by
16 appropriate order suspend the right to exercise any privileges granted under the
17 restricted license in the event of:
 - 18 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
19 bears a substantial relationship to Respondent's fitness or capacity as a real estate
20 licensee; or
 - 21 b. The receipt of evidence that Respondent has violated provisions of the California
22 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
23 conditions attaching to the restricted license.
- 24 2. Respondent shall not be eligible to petition for the issuance of an unrestricted MLO
25 license endorsement, nor the removal of any of the conditions, limitations, or
26 restrictions attaching to the restricted MLO license endorsement until two (2) years
27 have elapsed from the date of issuance of the restricted MLO license endorsement to

1 Respondent. Respondent shall not be eligible to apply for any unrestricted MLO
2 license endorsements until all restrictions attaching to the MLO license endorsement
3 have been removed.

4 2/25/2020

5 Dated

6 
Lisette Garcia, Counsel
Department of Real Estate

7 * * *

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

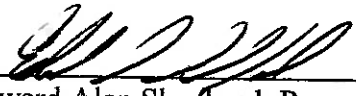
16 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
17 Lisette Garcia, Department of Real Estate, 320 W. 4th Street, Suite 350 , Los Angeles, California
18 90013-1105.

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

25 ///

1 Department had received the original signed Stipulation and Waiver.

2
3 2-24-2020
4 Dated


5 Edward Alan Shepherd, Respondent

6 * * *

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

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

15 This Order is effective immediately.

16 IT IS SO ORDERED _____

17 SANDRA KNAU
18 ACTING REAL ESTATE COMMISSIONER
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2
3 Dated _____

Edward Alan Shepherd, Respondent

4 * * *

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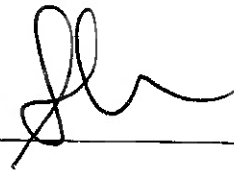
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3/23/20

16 SANDRA KNAU
17 ACTING REAL ESTATE COMMISSIONER

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