

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

4 Telephone: (213) 576-6982

FILED

SEP 24 2021

DEPT. OF REAL ESTATE

By Carl Selow

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of

) No. H-41989 LA

12 PATRICK J. CHANG,

) **STIPULATION AND WAIVER**

13
14 Respondent.

15 It is hereby stipulated by and between PATRICK J. CHANG ("Respondent") acting by and
16 through Robert C. Hsu, Counsel for Respondent, and Complainant, acting by and through Andrea
17 Bentler, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of
18 settling and disposing of the Statement of Issues filed on May 19, 2021 in this matter:

19 Respondent acknowledges that Respondent has received and read the Statement of Issues and
20 the Statement to Respondent filed by the Department in connection with Respondent's application
21 for a real estate broker license. Respondent understands that the Real Estate Commissioner
22 ("Commissioner") may hold a hearing on this Statement of Issues for the purpose of requiring
23 further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or
24 that he may in his discretion waive the hearing and grant Respondent a restricted real estate broker
25 license based upon this Stipulation and Waiver.

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1 Respondent also understands that by filing the Statement of Issues in this matter the
2 Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent
3 meets all the requirements for issuance of a real estate broker license. Respondent further
4 understands that by entering into this Stipulation and Waiver, Respondent will be stipulating that
5 the Commissioner has found that Respondent has failed to make such a showing, thereby justifying
6 the denial of the issuance to Respondent of an unrestricted real estate broker license.

7 Respondent hereby admits that the allegations of the Statement of Issues filed against
8 Respondent are true and correct and requests that the Commissioner in his discretion issue a
9 restricted real estate broker license to Respondent under the authority of Section 10156.5 of the
10 Business and Professions Code ("the Code").

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

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

21 Respondent further understands that the restricted license issued to Respondent shall be
22 subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,
23 conditions and restrictions imposed under authority of Section 10156.6 of the Code:

- 24 1. The restricted license shall not confer any property right in the privileges to be exercised
25 including the right of renewal, and the Commissioner may by appropriate order suspend
26 the right to exercise any privileges granted under the restricted license in the event of:

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- 1 a. Respondent's conviction (including a plea of nolo contendere) of a crime which
2 bears a substantial relationship to Respondent's fitness or capacity as a real estate
3 licensee; or
4 b. The receipt of evidence that Respondent has violated provisions of the California
5 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
6 conditions attaching to the restricted license.
- 7 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real estate
8 license nor the removal of any of the conditions, limitations, or restrictions attaching to
9 the restricted license until two (2) years have elapsed from the date of issuance of the
10 restricted license to Respondent. Respondent shall not be eligible to apply for any
11 unrestricted licenses until all restrictions attaching to the license have been removed.
- 12 3. Respondent shall notify the Commissioner in writing within seventy-two (72) hours of
13 any arrest by sending a certified letter to the Commissioner at the Department of Real
14 Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth
15 the date of Respondent's arrest, the crime for which Respondent was arrested and the
16 name and address of the arresting law enforcement agency. Respondent's failure to
17 timely file written notice shall constitute an independent violation of the terms of the
18 restricted license and shall be grounds for the suspension or revocation of that license.

19 08/26/2021
20 Dated

Andrea Bentler
Counsel, Department of Real Estate

22 * * *

23 Respondent has read this Stipulation and Waiver and its terms are understood by Respondent
24 and are agreeable and acceptable to Respondent. Respondent understands that Respondent is
25 waiving rights given to Respondent by the Administrative Procedure Act (including but not limited
26 to Sections 11506, 11508, 11509, and 11513 of the Government Code), and Respondent willingly,
27 intelligently, and voluntarily waives those rights, including the right of a hearing on the Statement

1 of Issues at which Respondent would have the right to cross-examine witnesses against Respondent
2 and to present evidence in defense and mitigation of the charges.

3 Respondent shall send a hard copy of the original signed Stipulation and Waiver to:
4 Andrea Bentler, Department of Real Estate, 320 West 4th St, Suite 350, Los Angeles, CA 90013-
5 1105.

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

13 8/25/2021
14 Dated

PCH
PATRICK J. CHANG
Respondent

16 *I have reviewed this Stipulation and Agreement as to form and content and have*
17 *advised my client accordingly.*

18
19 8/25/2021
20 Dated

[Signature]
ROBERT C. HSU
Attorney for Respondent

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

5 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
6 Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for licensure.
7 The restricted license shall be limited, conditioned, and restricted as specified in the foregoing
8 Stipulation and Waiver.

9 This Order is effective immediately.

10 IT IS SO ORDERED 9.21.21.

11 DOUGLAS R. McCAULEY
12 REAL ESTATE COMMISSIONER

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14 Douglas R. McCauley
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