

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

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FILED

DEC 19 2023

DEPT. OF REAL ESTATE

By 

8 **DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 ***

11 In the Matter of the Application of

12 LUIS ENEDINO CERVANTES SEKISAKA,

13 Respondent.
14

) DRE No. H-42768 LA
)
)
)

STIPULATION AND WAIVER

15 I, LUIS ENEDINO CERVANTES SEKISAKA, ("Respondent") do hereby affirm that I
16 have applied to the Department of Real Estate ("Department") for a real estate salesperson license,
17 and that to the best of my knowledge I have satisfied all of the statutory requirements for the
18 issuance of the license, 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 Real
20 Estate Commissioner ("Commissioner") has found grounds that justify the denial of the issuance of
21 an unrestricted real estate salesperson license to me. I agree that there are grounds to deny the
22 issuance of an unrestricted real estate salesperson license to me pursuant to Sections 480(a) and
23 10177(b) of the Business and Professions Code ("the Code") for my violation of California Penal
24 Code Section 273.5(a) (inflicting a corporal injury on a person in a dating relationship), a
25 misdemeanor, on my license application.

26 I hereby request that the Commissioner in his discretion issue a restricted real estate
27 salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the Code. I

1 understand that any such restricted license will be issued subject to the provisions and limitations of
2 Sections 10156.6 and 10156.7 of the Code.

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

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

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


- 15 1. The restricted license shall not confer any property right in the privileges to be exercised
16 including the right of renewal, and the Commissioner may by appropriate order suspend
17 the right to exercise any privileges granted under the 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 real
25 estate license nor the removal of any of the conditions, limitations, or restrictions
26 attaching to the restricted license until two (2) years have elapsed from the date of
27 issuance of the restricted license to Respondent. Respondent shall not be eligible to

1 apply for any unrestricted licenses until all restrictions attaching to the license have
2 been removed.

- 3 3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by
4 sending a certified letter to the Commissioner at the Department of Real Estate, Post
5 Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of
6 Respondent's arrest, the crime for which Respondent was arrested, and the name and
7 address of the arresting law enforcement agency. Respondent's failure to timely file
8 written notice shall constitute an independent violation of the terms of the restricted
9 license and shall be grounds for the suspension or revocation of that license.
- 10 4. With the application for license or with the application for transfer to a new employing
11 broker, Respondent shall submit a statement signed by the prospective employing
12 broker on a form approved by the Department wherein the employing broker shall
13 certify as follows:
- 14 a. That the broker has read the Stipulation and Waiver which is the basis for the
15 issuance of the restricted license; and
- 16 b. That the broker will carefully review all transaction documents prepared by the
17 restricted licensee and otherwise exercise close supervision over the licensee's
18 performance of acts for which a license is required.

19
20 11/28/2023

21 Dated

22 
23 Lissete Garcia, 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
Respondent is waiving rights given to Respondent by the Administrative Procedure Act (including,
but not limited to, Government Code Sections 11504, 11506, 11508, 11509, and 11513), and

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

5 Respondent shall send a hard copy of the original signed Stipulation and Waiver to
6 Lissete Garcia, Department of Real Estate, 320 W. 4th Street, Suite 350, Los Angeles, CA 90013-
7 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 11/28/2023

16 Dated

17 
LUIS ENEDINO CERVANTES SEKISAKA,
Respondent

18 * * *

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

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1 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be
2 issued to Respondent LUIS ENEDINO CERVANTES SEKISAKA, if Respondent has otherwise
3 fulfilled all of the statutory requirements for licensure. The restricted salesperson license shall be
4 limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

5 This Order is effective immediately.

6 IT IS SO ORDERED 12/11/23.

7 DOUGLAS R. McCAULEY
8 REAL ESTATE COMMISSIONER

