

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
2 issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and
4 request that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and
7 Professions Code.

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

13 I further understand that the following conditions, limitations, and restrictions will attach to a
14 restricted license issued by the Department of Real Estate pursuant hereto:

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

1 3. With the application for license, or with the application for transfer to a new employing broker, I
2 shall submit a statement signed by the prospective employing broker on a form approved by the
3 Department of Real Estate wherein the employing broker shall certify as follows:

4 a. That broker has read the Statement of Issues which is the basis for the issuance of the
5 restricted license; and

6 b. That broker will carefully review all transaction documents prepared by the restricted
7 licensee and otherwise exercise close supervision over the licensee's performance of acts
8 for which a license is required.

9 4. My restricted real estate salesperson license is issued subject to the requirements of Section
10 10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18) months
11 of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of
12 successful completion, at an accredited institution, of a course in real estate practices and one of
13 the courses listed in Section 10153.2, other than real estate principles, advanced legal aspects of
14 real estate, advanced real estate finance, or advanced real estate appraisal. If I fail to timely
15 present to the Department satisfactory evidence of successful completion of the two required
16 courses, the restricted license shall be automatically suspended effective eighteen (18) months
17 after the date of its issuance. Said suspension shall not be lifted unless, prior to the expiration of
18 the restricted license, I have submitted the required evidence of course completion and the
19 Commissioner has given written notice to Respondent of the lifting of the suspension.

20 5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license
21 under Section 10153.4, Respondent shall not be entitled to renew the restricted license, and shall
22 not be entitled to the issuance of another license which is subject to Section 10153.4 until four
23 years after the date of the issuance of the preceding restricted license.

24 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and
25 Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax
26 number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending
27 to the Department a fax copy of her actual signature as it appears on the Stipulation and Waiver, that receipt

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received
2 the original signed Stipulation and Waiver.

3 6/5/07
4 Dated

Beth Maree
5 BETH MAREE, Respondent

6 ***

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

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

15 This Order is effective immediately.

16 IT IS SO ORDERED

17 June 11, 2007.

18 Jeff Davi
19 Real Estate Commissioner

20 Dolores Weeks
21 Dolores Weeks

1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
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4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6914

FILED
MAY 30 2007
DEPARTMENT OF REAL ESTATE

By [Signature]

7
8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Application of) NO. H-34018 LA
13)
14 BETH MAREE,) STATEMENT OF ISSUES
15) Respondent.)

16 The Complainant, Janice Waddell, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against BETH MAREE, aka Beth Marie Johnson and Beth Marie
19 Kimmich ("Respondent"), is informed and alleges in her official
20 capacity as follows:

21 I

22 On or about April 17, 2006, Respondent made
23 application to the Department of Real Estate of the State of
24 California for a real estate salesperson license with the
25 knowledge and understanding that any license issued as a result
26 of said application would be subject to the conditions of
27 Section 10153.4 of the California Business and Professions Code.

II

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2 In response to Question 25 of the license application,
3 to wit: "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW?
4 CONVICTIONS EXPUNGED UNDER PENAL CODE SECTION 1203.4 MUST BE
5 DISCLOSED. HOWEVER, YOU MAY OMIT MINOR TRAFFIC CITATIONS WHICH
6 DO NOT CONSTITUTE A MISDEMEANOR OR FELONY OFFENSE", Respondent
7 failed to reveal the conviction described in Paragraph III
8 below.

9
10 III

11 On or about February 9, 2006, Respondent was convicted
12 in the Superior Court of California, Pomona Courthouse Division,
13 County of Los Angeles, Case No. 5PM09731, of a violation of
14 Vehicle Code Section 23152(A) (driving under the influence of
15 alcohol or drugs), a misdemeanor. Said crime involves moral
16 turpitude and bears a substantial relationship under Section
17 2910, Title 10, Chapter 6, California Code of Regulations, to
18 the qualifications, functions or duties of a real estate
19 licensee.

20 IV

21 Respondent's failure to disclose the conviction, as
22 set forth in Paragraph III above, in her license application,
23 constitutes the attempt to procure a real estate license by
24 fraud, misrepresentation, or deceit, or by making a false
25 statement of material fact required to be revealed in said
26 application, which is grounds for denial of the issuance of a
27

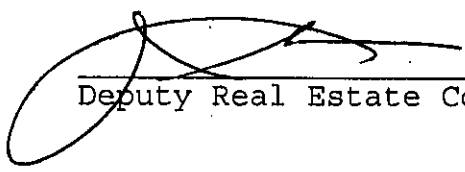
1 license under Business and Professions Code Sections 475(a)(1),
2 480(c) and 10177(a).

3 These proceedings are brought under the provisions of
4 Section 10100, Division 4 of the Business and Professions Code
5 of the State of California and Sections 11500 through 11528 of
6 the California Government Code.

7 WHEREFORE, the Complainant prays that the above-
8 entitled matter be set for hearing and, upon proof of the
9 charges contained herein, that the Commissioner refuse to
10 authorize the issuance of, and deny the issuance of, a real
11 estate salesperson license to Respondent, BETH MAREE, and for
12 such other and further relief as may be proper in the premises.

13 Dated at Los Angeles, California

14 this 29 day of May, 2007.

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17 
18 Deputy Real Estate Commissioner

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23
24 cc: Beth Maree
25 Janice Waddell
26 Sacto.
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