

1 Department of Real Estate  
2 320 W. 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

DEC - 2 2010

DEPARTMENT OF REAL ESTATE  
BY: Jane B. Olson

7 DEPARTMENT OF REAL ESTATE  
8 STATE OF CALIFORNIA

9  
10 *In the Matter of the Application of*

11 MELODY DE LA ROSA,

12 Respondent.

)  
) No. H-36714 LA  
)  
)

) STIPULATION AND  
) WAIVER  
)  
)  
)  
)  
)

15 I, MELODY DE LA ROSA, Respondent herein, do hereby affirm that I have applied to the  
16 Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I have  
17 satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee  
18 therefor.

19 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent  
20 filed by the Department of Real Estate on July 02, 2010, in connection with my application for a real estate  
21 salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this Statement of  
22 Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove other  
23 allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real estate  
24 salesperson license based upon this Stipulation and Waiver. I also understand that by filing the Statement of  
25 Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a satisfactory  
26 showing that I meet all the requirements for issuance of a real estate salesperson license. I further understand  
27 that by entering into this stipulation and waiver I will be stipulating that the Real Estate Commissioner has

1 found that I have failed to make such a showing, thereby justifying the denial of the issuance to me of an  
2 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.

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

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

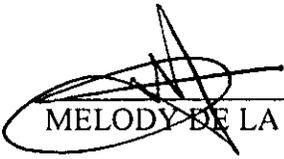
a. That broker has read the Statement of Issues which is the basis for the issuance of the restricted license; and

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

4. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, CA 95818-7000. 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 license and shall be grounds for the suspension or revocation of that license.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Department at fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Waiver.

11/5/10  
Dated

  
MELODY DE LA ROSA, Respondent

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

\*\*\*

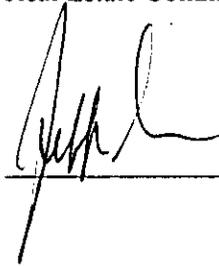
I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public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

Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent MELODY DE LA ROSA if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED 11-30-2018

JEFF DAVI  
Real Estate Commissioner



1 JAMES DEMUS, Counsel (SBN 225005)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-6910

**FILED**

JUL -2 2010

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-36714 LA  
13 MELODY DE LA ROSA, ) STATEMENT OF ISSUES  
14 Respondent. )  
15

16 The Complainant, Robin Trujillo, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against MELODY DE LA ROSA, ("Respondent"), is informed and  
19 alleges in her official capacity as follows:

20 1.

21 On or about June 16, 2009, Respondent made application  
22 to the Department of Real Estate of the State of California for  
23 a real estate salesperson license.

24 2.

25 On or about February 24, 2005, Respondent was  
26 convicted in the United States District Court, Southern District  
27 of California, Case No. 04CR0257-J, for violating 8 USC

1 1324(a)(2)(B)(iii) (bringing in illegal alien without  
2 presentation) and 18 USC 2 (aiding and abetting). Said crimes  
3 bear a substantial relationship under Section 2910, Title 10,  
4 Chapter 6, California Code of Regulations, to the  
5 qualifications, functions or duties of a real estate licensee.

6 3.

7 The crimes of which Respondent was convicted, as  
8 alleged in Paragraph 2 above, constitute cause for denial of  
9 Respondent's application for a real estate license under  
10 Business and Professions Code Sections 475(a)(2), 480(a) and  
11 10177(b).

12 These proceedings are brought under the provisions of  
13 Section 10100, Division 4 of the Business and Professions Code  
14 of the State of California and Sections 11500 through 11528 of  
15 the California Government Code.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

1           WHEREFORE, the Complainant prays that the above-  
2 entitled matter be set for hearing and, upon proof of the  
3 charges contained herein, that the Commissioner refuse to  
4 authorize the issuance of, and deny the issuance of, a real  
5 estate salesperson license to Respondent, MELODY DE LA ROSA, and  
6 for such other and further relief as may be proper in the  
7 premises.

8 Dated at Los Angeles, California

9 this   3   day of   June  , 2010.

11  
12   
13 Robin Trujillo  
14 Deputy Real Estate Commissioner  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

25 cc: Melody De La Rosa  
26 Robin Trujillo  
27 Sacto.