

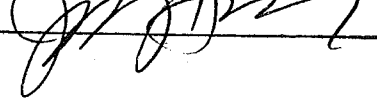
1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982
5 (Direct) (213) 576-6905

FILED

MAY 23 2012

DEPARTMENT OF REAL ESTATE

BY: 

6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11
12 In the Matter of the Application of) NO. H- 38158 LA
13)
14 KELLY KEITH MORGAN,)
15) STIPULATION AND
16) WAIVER
17)
18 Respondent.)
19) (B&P 10100.4)

20 I, KELLY KEITH MORGAN ("Respondent") do hereby affirm
21 that I have applied to the Department of Real Estate for a real
22 estate salesperson license, and that to the best of my knowledge
23 I have satisfied all of the statutory requirements for the
24 issuance of the license, including but not limited to the
25 payment of the fee therefor.

26 I acknowledge that by entering into this Stipulation
27 and Waiver, I am stipulating that the Real Estate Commissioner
has found grounds that justify the denial of the issuance of an
unrestricted real estate salesperson license to me. I agree that
there are grounds to deny the issuance of an unrestricted real

1 estate salesperson license to me pursuant to California Business
2 and Professions Code Sections 480(a) and 10177(b) for my
3 violation of California Vehicle Code Section 23109(c) [Aide/Abet
4 Exhibition of Speed], a misdemeanor.

5 I hereby request that the Real Estate Commissioner in
6 his discretion issue a restricted real estate salesperson
7 license to me under the authority of California Business and
8 Professions Code Sections 10100.4 and 10156.5. I understand that
9 any such restricted license will be issued subject to the
10 provisions of and limitations of California Business and
11 Professions Code Sections 10156.6 and 10156.7.

12 I understand that by my signing of this Stipulation
13 and Waiver, provided this Stipulation and Waiver is accepted and
14 signed by the Real Estate Commissioner, the Real Estate
15 Commissioner will not file a Statement of Issues based on the
16 grounds herein, and I am waiving my right to a hearing and the
17 opportunity to present evidence at the hearing to establish my
18 rehabilitation in order to obtain an unrestricted real estate
19 salesperson license.
20

21 I further understand that the following conditions,
22 limitations, and restrictions will attach to a restricted real
23 estate salesperson license issued by the Department of Real
24 Estate pursuant hereto:

- 25 1. The license shall not confer any property right in the
26 privileges to be exercised including the right of
27 renewal, and the Real Estate Commissioner may by

1 appropriate order suspend the right to exercise any
2 privileges granted under this restricted license in the
3 event of:

- 4 a. The conviction of Respondent (including a plea of
5 nolo contendere) to a crime that bears a substantial
6 relationship to Respondent's fitness or capacity as
7 a real estate licensee; or
8 b. The receipt of evidence that Respondent has violated
9 provisions of the California Real Estate Law, the
10 Subdivided Lands Law, Regulations of the Real Estate
11 Commissioner, or conditions attaching to this
12 restricted license.

13 2. Respondent shall not be eligible to apply for the
14 issuance of an unrestricted real estate license nor the
15 removal of any of the conditions, limitations, or
16 restrictions attaching to the restricted license until
17 two (2) years have elapsed from the date of issuance of
18 the restricted license to Respondent.

19 3. Respondent shall notify the Real Estate Commissioner in
20 writing within 72 hours of any arrest by sending a
21 certified letter to the Real Estate Commissioner at the
22 Department of Real Estate, Post Office Box 187000,
23 Sacramento, CA 95818-7000. The letter shall set forth
24 the date of Respondent's arrest, the crime for which
25 Respondent was arrested, and the name and address of
26 the arresting law enforcement agency. Respondent's
27

1 failure to timely file written notice shall constitute
2 an independent violation of the terms of the restricted
3 license and shall be grounds for the suspension or
4 revocation of that license.

5 DATED: 4/11/12

Cheryl D. Kelly
6 CHERYL D. KELLY, Counsel
7 DEPARTMENT OF REAL ESTATE

- 8 4. I have read the Stipulation and Waiver, and its terms
9 are understood by me and are agreeable and acceptable
10 to me. I understand that I am waiving rights given to
11 me by the California Administrative Procedure Act
12 (including, but not limited to, California Government
13 Code Sections 11504, 11506, 11508, 11509, and 11513),
14 and I willingly, intelligently, and voluntarily waive
15 those rights, including, but not limited to, the right
16 to a hearing at which I would have the right to cross-
17 examine witnesses against me and to present evidence in
18 defense and mitigation of the charges.
- 19 5. Respondent can signify acceptance and approval of the
20 terms and conditions of this Stipulation and Waiver by
21 faxing a copy of its signature page, as actually signed
22 by Respondent, to the Department of Real Estate at the
23 following telephone/fax number: (213) 576-6917.
24 Respondent agrees, acknowledges, and understands that
25 by electronically sending to the Department of Real
26 Estate a fax copy of her actual signature as it appears
27 on the Stipulation and Waiver, that receipt of the
faxed copy by the Department of Real Estate shall be as -

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binding on Respondent as if the Department of Real Estate had received the original signed Stipulation and Waiver.

DATED: 4-10-2012

Kelly Morgan
KELLY KEITH MORGAN,
Respondent

I have read 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 broker license to Respondent.

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

This Order is effective immediately.

IT IS SO ORDERED 5/18/2012

REAL ESTATE COMMISSIONER

Wayne S. Bell
By WAYNE S. BELL
Chief Counsel