

FILED

MAY 17 2023

DEPT. OF REAL ESTATE

By: 

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

3 Telephone: (213) 576-6982

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

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11 In the Matter of the Application of

12 HEATHER F DEWAR,

13 Respondent.

) DRE No. H-42548 LA
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STIPULATION AND WAIVER

15 I, HEATHER F. DEWAR, ("Respondent") do hereby affirm that I have applied to the
16 Department of Real Estate ("Department") for a real estate salesperson license, and that to the best
17 of my knowledge I have satisfied all of the statutory requirements for the issuance of the license,
18 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
20 Real Estate Commissioner ("Commissioner") has found grounds that justify the denial of the
21 issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to
22 deny the issuance of an unrestricted real estate salesperson license to me pursuant to Sections
23 480(a)(1) and 10177(b) of the Business and Professions Code ("Code") for a violation of California
24 Penal Code Section 946(a) (buy or receive stolen property), a misdemeanor.

25 I hereby request that the Commissioner in his discretion issue a restricted real estate
26 salesperson license to me under the authority of Sections 10100.4 and 10156.5 of the Code. I
27 understand that any such restricted license will be issued subject to the provisions and limitations of

1 Sections 10156.6 and 10156.7 of the Code.

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

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

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

- 14 1. The restricted license shall not confer any property right in the privileges to be exercised
15 including the right of renewal, and the Commissioner may by appropriate order suspend
16 the right to exercise any privileges granted under the restricted license in the event of:
 - 17 a. Respondent's conviction (including a plea of nolo contendere) of a crime that
18 bears a substantial relationship to Respondent's fitness or capacity as a real estate
19 licensee; or
 - 20 b. The receipt of evidence that Respondent has violated provisions of the California
21 Real Estate Law, the Subdivided Lands Law, Regulations of the Commissioner, or
22 conditions attaching to the restricted license.
- 23 2. Respondent shall not be eligible to petition for the issuance of an unrestricted real
24 estate license nor the removal of any of the conditions, limitations, or restrictions
25 attaching to the restricted license until three (3) years have elapsed from the date of
26 issuance of the restricted license to Respondent. Respondent shall not be eligible to
27 apply for any unrestricted licenses until all restrictions attaching to the license have

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

4 Respondent shall send a hard copy of the original signed Stipulation and Waiver to Judith
5 B. Vasan, Department of Real Estate, P.O. Box 137007 Sacramento, CA 95813-7007.

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.

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14
15 4-7-23
16 Dated

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16 HEATHER F. DEWAR, Respondent

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

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