

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

FILED

JAN 28 2019

DEPT. OF REAL ESTATE

By 

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

10 * * *

11 In the Matter of the Accusation of

12 SRPM MANAGEMENT INC,
13 LINDA LOU BANALES, individually and as
14 designated officer of SRPM Management Inc,
15 MICHAEL DARRELL BETTES, and,
16 JARED DUANE COPE,

17 Respondents.

) No. H-03180 FR
) OAH No. 2018070478

) **STIPULATION AND AGREEMENT**

) As to Respondent Michael Darrell Bettes
) only

18 It is hereby stipulated by and between Respondent MICHAEL DARRELL
19 BETTES and the Complainant, acting by and through Judith B. Vasan, Counsel for the
20 Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation
21 (“Accusation”) filed on May 4, 2018, in this matter:

22 1. All issues which were to be contested and all evidence which was to be
23 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
24 was to be held in accordance with the provisions of the Administrative Procedure Act (“APA”),
25 shall instead and in place thereof be submitted solely on the basis of the provisions of this
26 Stipulation and Agreement (“Stipulation”).

27 2. Respondent has received, read and understands the Statement to Respondent,

STIPULATION AND AGREEMENT

1 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
2 (“Department”) in this proceeding.

3 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
4 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
5 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
6 acknowledges that he understands that by withdrawing said Notice of Defense Respondent
7 thereby waives his right to require the Commissioner to prove the allegations in the Accusation
8 at a contested hearing held in accordance with the provisions of the APA and that Respondent
9 will waive other rights afforded to him in connection with the hearing such as the right to present
10 evidence in his defense, and the right to cross-examine witnesses.

11 4. This Stipulation is based on the factual allegations contained in the
12 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
13 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
14 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
15 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
16 prove said factual allegations.

17 5. This Stipulation is made for the purpose of reaching an agreed disposition of
18 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
19 in which the Department, or another licensing agency of this state, another state, or the federal
20 government is involved, and otherwise shall not be admissible in any criminal or civil
21 proceeding.

22 6. It is understood by the parties that the Real Estate Commissioner may adopt
23 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
24 Respondent’s real estate license and license rights as set forth in the below “Order”. In the event
25 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
26 void and of no effect and Respondent shall retain the right to a hearing and proceed on the
27 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver

1 made herein.

2 7. The Order or any subsequent Order of the Real Estate Commissioner made
3 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
4 administrative or civil proceedings by the Department with respect to any matters which were
5 not specifically alleged to be causes for accusation in this proceeding.

6 DETERMINATION OF ISSUES

7 By reason of the foregoing, it is stipulated and agreed that the following
8 determination of issues shall be made:

9 The conduct, acts or omissions of Respondent MICHAEL DARRELL BETTES
10 as set forth in the Accusation, are a basis for discipline of Respondent's licenses and license
11 rights as violations of Business and Professions Code ("Code") section 10176(a)
12 (misrepresentation).

13 ORDER

14 WHEREFORE, THE FOLLOWING ORDER is hereby made:

15 I.

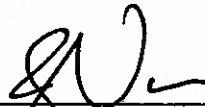
16 All licenses and licensing rights of Respondent MICHAEL DARRELL BETTES
17 under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson
18 license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent
19 makes application therefor and pays to the Department the appropriate fee for the restricted
20 license within 90 days from the effective date of this Decision and Order. The restricted license
21 issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and
22 to the following limitations, conditions and restrictions imposed under authority of Section
23 10156.6 of that Code:

24 1. The restricted license issued to Respondent may be suspended prior to hearing
25 by Order of the Commissioner in the event of Respondent's conviction or plea of nolo contendere
26 to a crime which is substantially related to Respondent's fitness or capacity as a real estate
27 licensee.

1 III.

2 All licenses and licensing rights of Respondent are indefinitely suspended unless
3 or until Respondent pays the sum of \$5,011.65 for the Commissioner's reasonable costs of the
4 investigation and enforcement, which led to this disciplinary action. Respondent is jointly and
5 severally liable for the costs of the investigation and enforcement. Said payment shall be in the
6 form of a cashier's check made payable to the Department of Real Estate. The investigative and
7 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
8 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

9
10
11 DATED: 12-21-2018

12 
13 Judith B. Vasan, Counsel for
14 Department of Real Estate

15 * * *

16 EXECUTION OF THE STIPULATION

17 I have read the Stipulation, and its terms are understood by me and are agreeable
18 and acceptable to me. I understand that I am waiving rights given to me by the California
19 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and
20 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights,
21 including the right of requiring the Commissioner to prove the allegations in the Accusation at a
22 hearing at which I would have the right to cross-examine witnesses against me and to present
23 evidence in defense and mitigation of the charges.

24 Respondent shall mail the original signed signature page of the stipulation herein
25 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
26 Suite 350, Los Angeles, California 90013-1105.

27 In the event of time constraints before an administrative hearing, Respondent can
signify acceptance and approval of the terms and conditions of this Stipulation and Agreement

STIPULATION AND AGREEMENT

1 by emailing a scanned copy of the signature page, as actually signed by Respondent, to the
2 Department counsel assigned to this case. Respondent agrees, acknowledges, and understands
3 that by electronically sending the Department a scan of Respondent's actual signature as it
4 appears on the Stipulation and Agreement that receipt of the scan by the Department shall be
5 binding on Respondent as if the Department had received the original signed Stipulation and
6 Agreement.

7 Respondent's signature below constitutes acceptance and approval of the terms
8 and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by
9 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and
10 that this agreement is not subject to rescission or amendment at a later date except by a separate
11 Decision and Order of the Real Estate Commissioner.

12
13 DATED: 12/21/18



14 MICHAEL DARRELL BETTES
15 Respondent

16
17 * * *

18 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
19 Respondent MICHAEL DARRELL BETTES and shall become effective at 12 o'clock noon on

20 FEB 19 2019

21 IT IS SO ORDERED January 18, 2019

22
23 DANIEL J. SANDRI
24 ACTING REAL ESTATE COMMISSIONER

25 
26

27
STIPULATION AND AGREEMENT

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

FILED

JAN 28 2019

DEPT. OF REAL ESTATE
By *Zinc*

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7
8 **BEFORE THE DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of

12 SRPM MANAGEMENT INC,
13 LINDA LOU BANALES, individually and as
14 designated officer of SRPM Management Inc,
15 MICHAEL DARRELL BETTES, and,
16 JARED DUANE COPE,

17 Respondents.

No. H-03180 FR
OAH No. 2018070478

STIPULATION AND AGREEMENT

As to Respondent Jared Duane Cope only

18 It is hereby stipulated by and between Respondent JARED DUANE COPE, acting
19 by and through his attorney, Frank M. Buda, Esq., and the Complainant, acting by and through
20 Judith B. Vasan, Counsel for the Department of Real Estate, as follows for the purpose of
21 settling and disposing of the Accusation ("Accusation") filed on May 4, 2018, in this matter:

22 1. All issues which were to be contested and all evidence which was to be
23 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
24 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),
25 shall instead and in place thereof be submitted solely on the basis of the provisions of this
26 Stipulation and Agreement ("Stipulation").

27 2. Respondent has received, read and understands the Statement to Respondent,

STIPULATION AND AGREEMENT

1 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
2 (“Department”) in this proceeding.

3 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
4 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
5 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
6 acknowledges that he understands that by withdrawing said Notice of Defense Respondent
7 thereby waives his right to require the Commissioner to prove the allegations in the Accusation
8 at a contested hearing held in accordance with the provisions of the APA and that Respondent
9 will waive other rights afforded to him in connection with the hearing such as the right to present
10 evidence in his defense, and the right to cross-examine witnesses.

11 4. This Stipulation is based on the factual allegations contained in the
12 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
13 allegations but to remain silent and understand that, as a result thereof, these factual allegations,
14 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
15 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
16 prove said factual allegations.

17 5. This Stipulation is made for the purpose of reaching an agreed disposition of
18 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
19 in which the Department, or another licensing agency of this state, another state, or the federal
20 government is involved, and otherwise shall not be admissible in any criminal or civil
21 proceeding.

22 6. It is understood by the parties that the Real Estate Commissioner may adopt
23 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
24 Respondent’s real estate license and license rights as set forth in the below “Order”. In the event
25 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
26 void and of no effect and Respondent shall retain the right to a hearing and proceed on the
27 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver

1 made herein.

2 7. The Order or any subsequent Order of the Real Estate Commissioner made
3 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
4 administrative or civil proceedings by the Department with respect to any matters which were
5 not specifically alleged to be causes for accusation in this proceeding.

6 **DETERMINATION OF ISSUES**

7 By reason of the foregoing, it is stipulated and agreed that the following
8 determination of issues shall be made:

9 The conduct, acts or omissions of Respondent JARED DUANE COPE as set forth
10 in the Accusation, are a basis for discipline of Respondent COPE's licenses and license rights as
11 violations of the Real Estate Law, Part 1 of Division 4 of the Code, pursuant to Code section
12 10177(g) (negligence or incompetence).

13 **ORDER**

14 WHEREFORE, THE FOLLOWING ORDER is hereby made:

15 I.

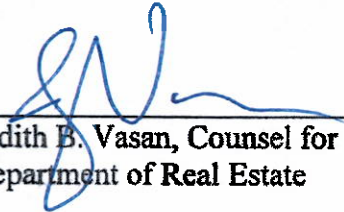
16 All licenses and licensed rights of Respondent JARED DUANE COPE under the
17 Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be
18 issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application
19 therefor and pays to the Department the appropriate fee for the restricted license within 90 days
20 from the effective date of this Decision and Order. The restricted license issued to Respondent
21 shall be subject to all of the provisions of Section 10156.7 of the Code and to the following
22 limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:
23 1. The restricted license issued to Respondent may be suspended prior to hearing
24 by Order of the Commissioner in the event of Respondent's conviction or plea of nolo contendere
25 to a crime which is substantially related to Respondent's fitness or capacity as a real estate
26 licensee.

27

1 III.

2 All licenses and licensing rights of Respondent are indefinitely suspended unless
3 or until Respondent pays the sum of \$5,011.65 for the Commissioner's reasonable costs of the
4 investigation and enforcement, which led to this disciplinary action. Respondent is jointly and
5 severally liable for the costs of the investigation and enforcement. Said payment shall be in the
6 form of a cashier's check made payable to the Department of Real Estate. The investigative and
7 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
8 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

9
10
11 DATED: 12-14-2018

12 
13 Judith B. Vasan, Counsel for
14 Department of Real Estate

15 * * *

16 EXECUTION OF THE STIPULATION

17 I have read the Stipulation, have discussed it with my counsel, and its terms are
18 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights
19 given to me by the California Administrative Procedure Act (including but not limited to
20 Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently
21 and voluntarily waive those rights, including the right of requiring the Commissioner to prove
22 the allegations in the Accusation at a hearing at which I would have the right to cross-examine
23 witnesses against me and to present evidence in defense and mitigation of the charges.

24 Respondent shall mail the original signed signature page of the stipulation herein
25 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
26 Suite 350, Los Angeles, California 90013-1105.

27 ///

///

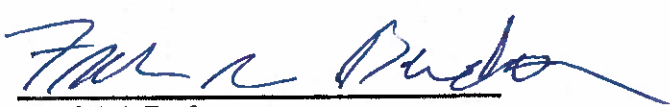
1 Respondent's signature below constitutes acceptance and approval of the terms
2 and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by
3 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and
4 that this agreement is not subject to rescission or amendment at a later date except by a separate
5 Decision and Order of the Real Estate Commissioner.

6
7 DATED: 12/14/18



JARED DUANE COPE
Respondent

8
9
10 DATED: 12.14.18



Frank M. Buda
Counsel for Respondent
Approved as to Form

11
12
13
14 * * *

15 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
16 Respondent JARED DUANE COPE and shall become effective at 12 o'clock noon on
17 FEB 19 2019.

18 IT IS SO ORDERED January 18, 2019.

19
20 DANIEL J. SANDRI
21 ACTING REAL ESTATE COMMISSIONER


22
23 

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

FILED

JAN 28 2019

DEPT. OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 SRPM MANAGEMENT INC,
13 LINDA LOU BANALES, individually and as
14 designated officer of SRPM Management Inc,
15 MICHAEL DARRELL BETTES, and,
16 JARED DUANE COPE,

17 Respondents.

) No. H-03180 FR
) OAH No. 2018070478

) STIPULATION AND AGREEMENT

) As to Respondent Linda Lou Banales
) only

18 It is hereby stipulated by and between LINDA LOU BANALES, (sometimes
19 referred to as "Respondent"), acting by and through her attorney Steven D. Spile, Esq., and the
20 Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate,
21 as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on
22 May 4, 2018, in this matter:

23 1. All issues which were to be contested and all evidence which was to be
24 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
25 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),
26 shall instead and in place thereof be submitted solely on the basis of the provisions of this
27 Stipulation and Agreement ("Stipulation").

STIPULATION AND AGREEMENT

1 2. Respondent has received, read and understands the Statement to Respondent,
2 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
3 (“Department”) in this proceeding.

4 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
6 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
7 acknowledges that she understands that by withdrawing said Notice of Defense Respondent
8 thereby waives her right to require the Commissioner to prove the allegations in the Accusation
9 at a contested hearing held in accordance with the provisions of the APA and that Respondent
10 will waive other rights afforded to her in connection with the hearing such as the right to present
11 evidence in his defense, and the right to cross-examine witnesses.

12 4. This Stipulation is based on the factual allegations contained in the
13 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
14 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
15 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
16 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
17 prove said factual allegations.

18 5. This Stipulation is made for the purpose of reaching an agreed disposition of
19 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
20 in which the Department, or another licensing agency of this state, another state, or the federal
21 government is involved, and otherwise shall not be admissible in any criminal or civil
22 proceeding.

23 6. It is understood by the parties that the Real Estate Commissioner may adopt
24 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
25 Respondent’s real estate license and license rights as set forth in the below “Order”. In the event
26 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
27 void and of no effect and Respondent shall retain the right to a hearing and proceed on the

1 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
2 made herein.

3 7. The Order or any subsequent Order of the Real Estate Commissioner made
4 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
5 administrative or civil proceedings by the Department with respect to any matters which were
6 not specifically alleged to be causes for accusation in this proceeding.

7 DETERMINATION OF ISSUES

8 By reason of the foregoing, it is stipulated and agreed that the following
9 determination of issues shall be made:

10 The conduct, acts or omissions of Respondent LINDA LOU BANALES, as set
11 forth in the Accusation, are a basis for discipline of Respondent's licenses and license rights as
12 violations of the Real Estate Law, Part 1 of Division 4 of the Code, pursuant to Code sections
13 10159.2 (failure to supervise) and 10177(h) (failure to supervise) and Section 2725 (broker
14 supervision) of Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 All licenses and license rights of Respondent LINDA LOU BANALES under the
19 Real Estate Law are suspended for a period of thirty (30) days from the effective date of this
20 Decision; provided, however, that thirty (30) days of said suspension shall be stayed for one (1)
21 year upon the following terms and conditions:

- 22 1. Respondent shall obey all laws, rules and regulations governing the rights,
23 duties and responsibilities of a real estate licensee in the State of California; and
24 2. That no final subsequent determination be made, after hearing or upon
25 stipulation, that cause for disciplinary action occurred within one (1) year from the effective date
26 of this Decision and Order. Should such a determination be made, the Commissioner may, in his
27 discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed

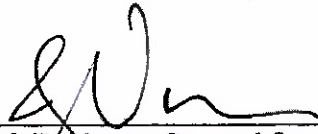
STIPULATION AND AGREEMENT

1 suspension. Should no such determination be made, the stay imposed herein shall become
2 permanent.

3 II.

4 All licenses and license rights of Respondent are indefinitely suspended unless or
5 until Respondent pays the sum of \$5,011.65 for the Commissioner's reasonable costs of the
6 investigation and enforcement, which led to this disciplinary action. Respondent is jointly and
7 severally liable for the costs of the investigation and enforcement. Said payment shall be in the
8 form of a cashier's check made payable to the Department of Real Estate. The investigative and
9 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
10 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

11
12
13 DATED: 12-21-2018

14 
15 Judith B. Yasan, Counsel for
16 Department of Real Estate

17 * * *

18 EXECUTION OF THE STIPULATION

19 I have read the Stipulation, have discussed it with my counsel, and its terms are
20 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights
21 given to me by the California Administrative Procedure Act (including but not limited to
22 Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently
23 and voluntarily waive those rights, including the right of requiring the Commissioner to prove
24 the allegations in the Accusation at a hearing at which I would have the right to cross-examine
witnesses against me and to present evidence in defense and mitigation of the charges.

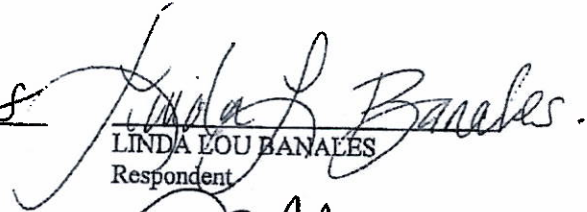
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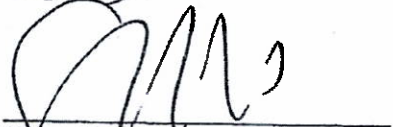
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27 ///

1 Respondent shall mail the original signed signature page of the stipulation herein
2 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
3 Suite 350, Los Angeles, California 90013-1105.

4 Respondent's signature below constitutes acceptance and approval of the terms
5 and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by
6 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and
7 that this agreement is not subject to rescission or amendment at a later date except by a separate
8 Decision and Order of the Real Estate Commissioner.

9
10 DATED: 12/21/18 
11 LINDA LOU BANALES
12 Respondent

13
14 DATED: 12/21/18 
15 Steven D. Spile
16 Counsel for Respondent
17 Approved as to Form

18 * * *

19 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
20 Respondent LINDA LOU BANALES and shall become effective at 12 o'clock noon on
21 FEB 19 2019

22 IT IS SO ORDERED January 18, 2019.

23 DANIEL J. SANDRI
24 ACTING REAL ESTATE COMMISSIONER

25 
26
27

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

FILED
JAN 28 2019
DEPT. OF REAL ESTATE
By: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 SRPM MANAGEMENT INC,
13 LINDA LOU BANALES, individually and as
14 designated officer of SRPM Management Inc,
15 MICHAEL DARRELL BETTES, and,
16 JARED DUANE COPE,

17 Respondents.

) No. H-03180 FR
) OAH No. 2018070478

) STIPULATION AND AGREEMENT

) As to Respondent SRPM Management
) Inc only

18 It is hereby stipulated by and between SRPM MANAGEMENT INC, (sometimes
19 referred to as "Respondent"), acting by and through its attorney Steven D. Spile, Esq., and the
20 Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate,
21 as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on
22 May 4, 2018, in this matter:

23 1. All issues which were to be contested and all evidence which was to be
24 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
25 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),
26 shall instead and in place thereof be submitted solely on the basis of the provisions of this
27 Stipulation and Agreement ("Stipulation").

STIPULATION AND AGREEMENT

1 2. Respondent has received, read and understands the Statement to Respondent,
2 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
3 (“Department”) in this proceeding.

4 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
6 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
7 acknowledges that it understands that by withdrawing said Notice of Defense Respondent
8 thereby waives its right to require the Commissioner to prove the allegations in the Accusation at
9 a contested hearing held in accordance with the provisions of the APA and that Respondent will
10 waive other rights afforded to it in connection with the hearing such as the right to present
11 evidence in his defense, and the right to cross-examine witnesses.

12 4. This Stipulation is based on the factual allegations contained in the
13 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
14 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
15 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
16 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
17 prove said factual allegations.

18 5. This Stipulation is made for the purpose of reaching an agreed disposition of
19 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
20 in which the Department, or another licensing agency of this state, another state, or the federal
21 government is involved, and otherwise shall not be admissible in any criminal or civil
22 proceeding.

23 6. It is understood by the parties that the Real Estate Commissioner may adopt
24 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
25 Respondent’s real estate license and license rights as set forth in the below “Order”. In the event
26 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
27 void and of no effect and Respondent shall retain the right to a hearing and proceed on the

1 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
2 made herein.

3 7. The Order or any subsequent Order of the Real Estate Commissioner made
4 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
5 administrative or civil proceedings by the Department with respect to any matters which were
6 not specifically alleged to be causes for accusation in this proceeding.

7 **DETERMINATION OF ISSUES**

8 By reason of the foregoing, it is stipulated and agreed that the following
9 determination of issues shall be made:

10 The conduct, acts or omissions of Respondent SRPM MANAGEMENT INC, as
11 set forth in the Accusation, are a basis for discipline of Respondent's licenses and license rights
12 as violations of the Real Estate Law, Part 1 of Division 4 of the Code, pursuant to Code sections
13 10159.2 (failure to supervise) and 10177(h) (failure to supervise) and Section 2725 (broker
14 supervision) of Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

15 **ORDER**

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 All licenses and license rights of Respondent SRPM MANAGEMENT INC under
19 the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this
20 Decision; provided, however, that thirty (30) days of said suspension shall be stayed for one (1)
21 year upon the following terms and conditions:

- 22 1. Respondent shall obey all laws, rules and regulations governing the rights,
23 duties and responsibilities of a real estate licensee in the State of California; and
24 2. That no final subsequent determination be made, after hearing or upon
25 stipulation, that cause for disciplinary action occurred within one (1) year from the effective date
26 of this Decision and Order. Should such a determination be made, the Commissioner may, in his
27 discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed


STIPULATION AND AGREEMENT

1 suspension. Should no such determination be made, the stay imposed herein shall become
2 permanent.

3 II.

4 All licenses and license rights of Respondent are indefinitely suspended unless or
5 until Respondent pays the sum of \$5,011.65 for the Commissioner's reasonable costs of the
6 investigation and enforcement, which led to this disciplinary action. Respondent is jointly and
7 severally liable for the costs of the investigation and enforcement. Said payment shall be in the
8 form of a cashier's check made payable to the Department of Real Estate. The investigative and
9 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
10 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

11
12
13 DATED: 1-3-2019

14 
15 Judith B. Vasan, Counsel for
16 Department of Real Estate

17 * * *

18 EXECUTION OF THE STIPULATION

19 I have read the Stipulation, have discussed it with my counsel, and its terms are
20 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights
21 given to me by the California Administrative Procedure Act (including but not limited to
22 Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently
23 and voluntarily waive those rights, including the right of requiring the Commissioner to prove
24 the allegations in the Accusation at a hearing at which I would have the right to cross-examine
25 witnesses against me and to present evidence in defense and mitigation of the charges.

26 ///

27 ///


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STIPULATION AND AGREEMENT

1 Respondent shall mail the original signed signature page of the stipulation herein
2 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
3 Suite 350, Los Angeles, California 90013-1105.

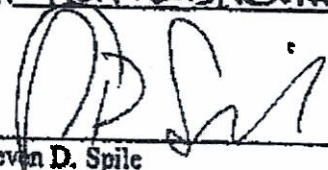
4 Respondent's signature below constitutes acceptance and approval of the terms
5 and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by
6 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and
7 that this agreement is not subject to rescission or amendment at a later date except by a separate
8 Decision and Order of the Real Estate Commissioner.

9
10 DATED: 12-31-18



SRPM MANAGEMENT INC
Respondent
By: FRANK BRENNER

13
14 DATED: 1/2/19



Steven D. Spile
Counsel for Respondent
Approved as to Form

17
18 * * *

19 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
20 Respondent SRPM MANAGEMENT INC and shall become effective at 12 o'clock noon on
21 FEB 19 2019

22 IT IS SO ORDERED January 18, 2019

23
24 DANIEL J. SANDRI
25 ACTING REAL ESTATE COMMISSIONER

26 
