

**FILED**

JAN 27 2016

BUREAU OF REAL ESTATE

By S. Black

1 BUREAU OF REAL ESTATE  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007  
4 Telephone: (916) 263-8670  
5 Fax: (916) 263-3767  
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9 BEFORE THE BUREAU OF REAL ESTATE  
10 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of ) NO. H-6248 SAC  
12 DIEZ & LEIS REAL ESTATE GROUP, INC. ) STIPULATION AND AGREEMENT  
13 and RONALD WILLIAM LEIS, )  
14 Respondents. )  
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16 It is hereby stipulated by and between Respondents DIEZ & LEIS REAL  
17 ESTATE GROUP, INC., acting by and through its designated officer Ronald William Leis, and  
18 RONALD WILLIAM LEIS, (collectively "Respondents"), acting on his own behalf, and the  
19 Complainant, acting by and through Annette E. Ferrante, Esq., Counsel for the Bureau of Real  
20 Estate ("Bureau"), as follows for the purpose of settling and disposing of the Accusation filed on  
21 April 28, 2015, in this matter:

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

4                   3.     Respondents filed a Notice of Defense pursuant to Section 11505 of the  
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
6 Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents  
7 acknowledge that Respondents understand that by withdrawing said Notice of Defense,  
8 Respondents will thereby waive Respondents' right to require the Real Estate Commissioner  
9 ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in  
10 accordance with the provisions of the APA and that Respondents will waive other rights  
11 afforded to Respondents in connection with the hearing such as the right to present evidence in  
12 defense of the allegations in the Accusation and the right to cross-examine witnesses.

13                   4.     This Stipulation is based on the factual allegations contained in the  
14 Accusation. In the interest of expedience and economy, Respondents choose not to contest these  
15 factual allegations, but to remain silent and understand that, as a result thereof, these factual  
16 statements will serve as a prima facie basis for the Determination of Issues and Order set forth  
17 below. The Commissioner shall not be required to provide further evidence to prove such  
18 allegations.

19                   5.     This Stipulation and Respondents' decision not to contest the Accusation  
20 are made for the purpose of reaching an agreed disposition in this proceeding and are expressly  
21 limited to this proceeding and any other proceeding or case in which the Bureau, the state or  
22 federal government, an agency of this state, or an agency of another state is involved.

23                   6.     It is understood by the parties that the Commissioner may adopt this  
24 Stipulation as his decision in this matter, thereby imposing the penalty and sanctions on  
25 Respondents' real estate licenses and license rights as set forth in the Order below. In the event  
26 that the Commissioner in his discretion does not adopt this Stipulation, it shall

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1 be void and of no effect, and Respondents shall retain the right to a hearing and proceeding on  
2 the Accusation under all of the provisions of the APA and shall not be bound by any admission  
3 or waiver made herein.

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

8                 8.       Respondents understand that by agreeing to this Stipulation,  
9 Respondents agree to pay, pursuant to Section 10148 of the California Business and  
10 Professions Code ("the Code"), the cost of the audit which resulted in the determination that  
11 Respondents committed the trust fund violation(s) found in the Determination of Issues. The  
12 amount of such cost is \$3,991.58.

13                9.       Respondents further understand that by agreeing to this Stipulation, the  
14 findings set forth below in the Determination of Issues become final, and that the  
15 Commissioner may charge said Respondents for the cost of any audit conducted pursuant to  
16 Section 10148 of the Code to determine if the violations have been corrected. The maximum  
17 cost of said audit shall not exceed \$3,991.58.

18                10.       Respondents understand that by agreeing to this Stipulation, Respondents  
19 agree to pay, pursuant to Section 10106 of the Code, the cost of the enforcement of this case  
20 which resulted in the determination that Respondents committed the violation(s) found in the  
21 Determination of Issues. The amount of such cost is \$356.00.

22                                 DETERMINATION OF ISSUES

23                By reason of the foregoing stipulations, admissions and waivers and solely for  
24 the purpose of settlement of the pending Accusation without hearing, it is stipulated and agreed  
25 that the following determination of issues shall be made:

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II. AS TO RESPONDENT RONALD WILLIAM LEIS

1. All licenses and licensing rights of Respondent RONALD WILLIAM LEIS ("Respondent LEIS") under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision and Order; provided, however, that all sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

a. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and,

b. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years from the effective date of this Decision and Order. Should such a determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

2. All licenses and licensing rights of Respondent LEIS are indefinitely suspended unless or until Respondent LEIS provides proof satisfactory to the Commissioner, of having taken and successfully completed the continuing education course on trust fund accounting and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Code. Proof of satisfaction of this requirement includes evidence that Respondent LEIS has successfully completed the trust fund accounting and handling continuing education course, no earlier than 120 days prior to the effective date of the Decision and Order in this matter. **Proof of completion of the trust fund accounting and handling course must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.**

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1                    3. Respondent LEIS shall, within six (6) months from the effective date  
2 of this Decision and Order, take and pass the Professional Responsibility Examination  
3 administered by the Bureau including the payment of the appropriate examination fee. If  
4 Respondent LEIS fails to satisfy this condition, Respondent LEIS's real estate license shall  
5 automatically be suspended until Respondent LEIS passes the examination.

6                    III. AS TO BOTH RESPONDENTS DIEZ & LEIS REAL ESTATE GROUP, INC.  
7 AND RONALD WILLIAM LEIS

8                    1. Pursuant to Section 10148 of the Code, Respondents DIEZ & LEIS REAL  
9 ESTATE GROUP, INC. and RONALD WILLIAM LEIS ("Respondents") shall jointly and  
10 severally pay the sum of \$3,991.58 for the Commissioner's cost of the audit which led to this  
11 disciplinary action. Respondents shall pay such cost within sixty (60) days of receiving an  
12 invoice therefore from the Commissioner. Payment of audit costs should not be made until  
13 Respondents receive the invoice. If Respondents fail to satisfy this condition in a timely manner  
14 as provided for herein, Respondents' real estate licenses shall automatically be suspended until  
15 payment is made in full, or until a decision providing otherwise is adopted following a hearing  
16 held pursuant to this condition.

17                    2. Pursuant to Section 10148 of the Code, Respondents shall jointly and  
18 severally pay the Commissioner's reasonable cost, not to exceed \$3,991.58, for an audit to  
19 determine if Respondents have corrected the violation(s) found in the Determination of Issues.  
20 In calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the  
21 estimated average hourly salary for all persons performing audits of real estate brokers, and shall  
22 include an allocation for travel time to and from the auditor's place of work. Respondents shall  
23 pay such cost within sixty (60) days of receiving an invoice therefore from the Commissioner.  
24 Payment of the audit costs should not be made until Respondents receive the invoice. If  
25 Respondents fail to satisfy this condition in a timely manner as provided for herein,

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1 Respondents' real estate licenses shall automatically be suspended until payment is made in full,  
2 or until a decision providing otherwise is adopted following a hearing held pursuant to this  
3 condition.

4 3. All licenses and licensing rights of Respondents are indefinitely suspended  
5 unless or until Respondents jointly and severally pay the sum of \$356.00 for the Commissioner's  
6 reasonable cost of the enforcement of this disciplinary action. Said payment shall be in the form  
7 of a cashier's check made payable to the Bureau of Real Estate. **The enforcement costs must be**  
8 **delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA**  
9 **95813-7013, prior to the effective date of this Decision and Order.**

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11 12/01/15  
12 DATED

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Annette E. Ferrante, Esq., Counsel  
Bureau of Real Estate

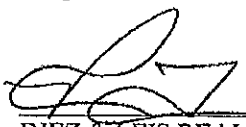
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I have read this Stipulation and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of requiring the Commissioner to prove 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. Respondents can signify acceptance and approval of the terms and conditions of this Stipulation by faxing a copy of the signature page, as actually signed by Respondents, to the Bureau at fax number (916) 263-3767. Respondents agree, acknowledge and understand that by electronically sending to the Bureau a fax copy of Respondents' actual signatures as they appear on this Stipulation, that receipt of the faxed copy by the Bureau shall be as binding on Respondents as if the Bureau had received the original signed Stipulation.

11-25-15

DATED

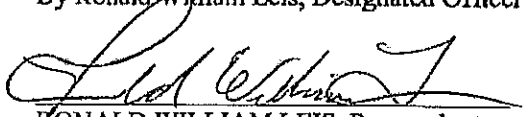


CEO

DIEZ & LEIS REAL ESTATE GROUP, INC.,  
Respondent  
By Ronald William Leis, Designated Officer

11-25-15

DATED



RONALD WILLIAM LEIS, Respondent



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The foregoing Stipulation and Agreement and Order is hereby adopted by me as  
my Decision in this matter as to Respondents DIEZ & LEIS REAL ESTATE GROUP, INC. and  
RONALD WILLIAM LEIS, and shall become effective at 12 o'clock noon on  
FEB 17 2016.

IT IS SO ORDERED January 26, 2016

**WAYNE S. BELI**  
REAL ESTATE COMMISSIONER



By: JEFFREY MASON  
Chief Deputy Commissioner