



1                   3.       Respondent filed a Notice of Defense on January 31, 2018, pursuant to  
2 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations  
3 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.  
4 Respondent acknowledges that she understands that by withdrawing said Notice of Defense she  
5 will thereby waive her right to require the Real Estate Commissioner (Commissioner) to prove  
6 the allegations in the Accusation at a contested hearing held in accordance with the provisions of  
7 the APA and that she will waive other rights afforded to her in connection with the hearing, such  
8 as the right to present evidence in defense of the allegations in the Accusation and the right to  
9 cross-examine witnesses.

10                   4.       This Stipulation is based on the factual allegations contained in the  
11 Accusation. In the interest of expediency and economy, Respondent chooses not to contest these  
12 factual allegations at the hearing, but rather understands that, as a result thereof, these  
13 allegations, without being admitted or denied, will serve as a prima facie basis for the  
14 "Determination of Issues" and "Order" set forth below. The Commissioner shall not be required  
15 to provide further evidence to prove such allegations.

16                   5.       It is understood by the parties that the Commissioner may adopt the  
17 Stipulation as his Decision and Order in this matter, thereby imposing the penalty and sanctions  
18 on Respondent's real estate licenses and license rights as set forth in the below "Order". In the  
19 event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and  
20 of no effect, and Respondent shall retain the rights to a hearing and proceeding on the  
21 Accusation under all the provisions of the APA and shall not be bound by any admission or  
22 waiver made herein.

23                   6.       The Order or any subsequent Order of the Commissioner made pursuant to  
24 this Stipulation shall not constitute an estoppel, merger, or bar to any further administrative or  
25 civil proceedings by the Bureau of Real Estate with respect to any matters which were not  
26 specifically alleged to be causes for accusation in this proceeding.  
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1 all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions,  
2 and restrictions imposed under authority of Section 10156.6 of the Code:

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

7 2. The restricted license issued to Respondent may be suspended prior to  
8 hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that  
9 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands  
10 Law, Regulations of the Commissioner or conditions attaching to the restricted license.

11 3. Respondent shall not be eligible to apply for the issuance of any  
12 unrestricted real estate license or the removal of any of the conditions, limitations, or restrictions  
13 of a restricted until two (2) years have elapsed from the effective date of this Stipulation.  
14 Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions  
15 attaching to the license have been removed.

16 4. Respondent shall, within nine (9) months from the effective date of this  
17 Stipulation, present evidence satisfactory to the Commissioner that Respondent has, since the  
18 most recent issuance of an original or renewal real estate license, taken and successfully  
19 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate  
20 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,  
21 Respondent's real estate license shall automatically be suspended until Respondent presents  
22 evidence satisfactory to the Commissioner of having taken and successfully completed the  
23 continuing education requirements. Proof of completion of the continuing education courses  
24 must be delivered to the Bureau of Real Estate, Flag Section, at P.O. Box 137013, Sacramento,  
25 CA 95813-7013.

1                   5. Pursuant to Section 10148 of the Code, Respondent shall pay the sum of  
2 \$5,844.09 for the Commissioner's cost of the audit which led to this disciplinary action.  
3 Respondent shall pay such cost within sixty (60) days of receiving an invoice therefor from the  
4 Commissioner. Payment of audit costs should not be made until Respondent receives the  
5 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,  
6 Respondent's real estate licenses shall automatically be suspended until payment is made in full,  
7 or until a decision providing otherwise is adopted following a hearing held pursuant to this  
8 condition.

9                   6. Pursuant to Section 10148 of the Code, Respondent shall pay the  
10 Commissioner's reasonable cost, not to exceed \$7,305.11, for an audit to determine if  
11 Respondent has corrected the violation(s) found in the "Determination of Issues". In calculating  
12 the amount of the Commissioner's reasonable cost, the Commissioner may use the estimated  
13 average hourly salary for all persons performing audits of real estate brokers, and shall include  
14 an allocation for travel time to and from the auditor's place of work. Respondent shall pay such  
15 cost within sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of  
16 the audit costs should not be made until Respondent receives the invoice. If Respondent fails to  
17 satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses  
18 shall automatically be suspended until payment is made in full, or until a decision providing  
19 otherwise is adopted following a hearing held pursuant to this condition.

20                   7. All licenses and licensing rights of Respondent are indefinitely suspended  
21 unless or until Respondent pays the sum of \$5,826.50 for the Commissioner's reasonable cost  
22 of the investigation and enforcement which led to this disciplinary action. Said payment shall  
23 be in the form of a cashier's check made payable to the Bureau of Real Estate. The investigative  
24 and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box  
25 137013, Sacramento, CA 95813-7013, prior to the effective date of this Stipulation.

26                   8. Respondent shall, within six (6) months from the effective date of this  
27 Stipulation, take and pass the Professional Responsibility Examination administered by the

1 Bureau including the payment of the appropriate examination fee. If Respondent fails to satisfy  
2 this condition, Respondent's real estate license shall automatically be suspended until  
3 Respondent passes the examination.

4  
5 4/18/18  
6 DATED

7   
8 RICHARD K. UNO, Counsel III  
9 BUREAU OF REAL ESTATE

10 \* \* \*

11 I have read the Stipulation and Agreement in Settlement and Order and its terms  
12 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
13 rights given to me by the California Administrative Procedure Act (including but not limited  
14 to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly,  
15 intelligently, and voluntarily waive those rights, including the right of requiring the  
16 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
17 right to cross-examine witnesses against me and to present evidence in defense and mitigation  
18 of the charges. I understand that I must sign and return this Stipulation by fax to (916) 263-  
19 3767 or by email to [Richard.Uno@dre.ca.gov](mailto:Richard.Uno@dre.ca.gov). I further agree to mail the original Stipulation  
20 no later than five days after signing it to: Bureau of Real Estate, Legal Section, P.O. Box  
21 137007, Sacramento, California 95813-7007. I understand that failure to mail the original  
22 back may result in this matter going to hearing.

23 4-12-2018  
24 DATED

25   
26 TINA YING

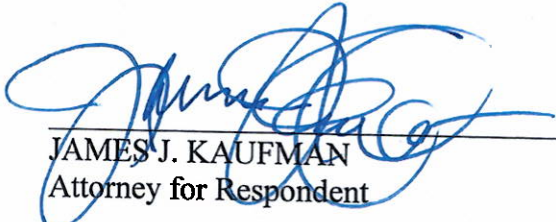


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*I have reviewed this Stipulation and Agreement as to form and content and have advised my client accordingly.*

4/12/18  
\_\_\_\_\_  
DATED


  
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JAMES J. KAUFMAN  
Attorney for Respondent

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The foregoing Stipulation and Agreement In Settlement and Order is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on JUL 03 2018.

IT IS SO ORDERED June 6, 2018.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

  
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By: DANIEL J. SANDRI  
Chief Deputy Commissioner