

1 NOW, THEREFORE, IT IS ORDERED under authority of the
2 Order issued in this matter that the real estate salesperson
3 license heretofore issued to Respondent and the exercise of
4 any privileges thereunder is hereby suspended until such time
5 as you provide proof satisfactory to the Department of having
6 passed the Professional Responsibility Examination, referred
7 to above, or pending final determination made after hearing
8 (see "Hearing Rights" set forth below).

9 IT IS FURTHER ORDERED that all license certificates
10 and identification cards issued by Department which are in the
11 possession of respondent be immediately surrendered by
12 personal delivery or by mailing in the enclosed, self-
13 addressed envelope to:

14 Department of Real Estate
15 Attn: Flag Section
16 P. O. Box 187000
 Sacramento, CA 95818-7000

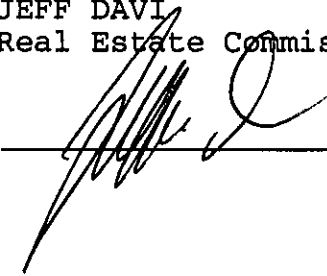
17 HEARING RIGHTS: Pursuant to the provisions of
18 Section 10156.7 of the Business and Professions Code, you have
19 the right to a hearing to contest the Commissioner's
20 determination that you are in violation of Section 10177(k).
21 If you desire a hearing, you must submit a written request.
22 The request may be in any form, as long as it is in writing
23 and indicates that you want a hearing. Unless a written
24 request for a hearing, signed by or on behalf of you, is
25 delivered or mailed to the Department at 320 West Fourth
26 Street, Suite 350, Los Angeles, California, within 20 days
27

1 after the date that this Order was mailed to or served on you,
2 the Department will not be obligated or required to provide
3 you with a hearing.

4 This Order shall be effective immediately.

5 DATED: 9-14, 2005

6 JEFF DAVIS
7 Real Estate Commissioner

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9 _____
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1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982
5 -or- (213) 576-6910 (Direct)

FILED
DEC 2 2004
DEPARTMENT OF REAL ESTATE

6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) DRE No. H-29951 LA
13 BILL MOTA, individually)
14 and doing business as South) OAH No. L-2004010662
15 Hills Midland Realty and)
16 formerly doing business as)
17 Fred Sands Partners Realty,)
18 Homelife Partners Realty, and)
19 Re/Max West Covina and)
20 MARIA CARMEN BALDERRAMA,)
21 Respondents.)

22 In the Matter of the Accusation of)
23) DRE No. H-29960 LA
24 BILL MOTA, individually)
25 and doing business as South) OAH No. L-2004010668
26 Hills Midland Realty and)
27 formerly doing business as)
Fred Sands Partners Realty,)
Homelife Partners Realty, and)
Re/Max West Covina and)
A. MAJADI,)
Respondents.)

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1	In the Matter of the Accusation of)	DRE No. H-29961 LA
2	<u>BILL MOTA</u> , individually)	OAH No. L-2004010670
3	and doing business as South Hills Midland Realty and)	<u>STIPULATION AND AGREEMENT</u>
4	formerly doing business as Fred Sands Partners Realty,)	
5	Homelife Partners Realty, and)	
6	Re/Max West Covina and)	
7	JOSE FLORES,)	
8	Respondents.)	

8 It is hereby stipulated by and between BILL MOTA,
9 individually and doing business as South Hills Midland Realty and
10 formerly doing business as Fred Sands Partners Realty, Homelife
11 Partners Realty, and Re/Max West Covina (hereinafter
12 "Respondent"), represented by Peter Urquijo, Esq., and the
13 Complainant, acting by and through Chris Leong, Counsel for the
14 Department of Real Estate, as follows for the purpose of settling
15 and disposing of Accusation H-29951 LA, H-29960 LA and H-29961 LA
16 regarding Respondent MOTA. The matters as to MARIA CARMEN
17 BALDERRAMA, A. MAJADI and JOSE FLORES will be handled separately.

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

25 2. Respondent has received, read and understands the
26 Statement to Respondent, the Discovery Provisions of the
27

1 Administrative Procedure Act and the Accusation, filed by the
2 Department of Real Estate in this proceeding.

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

16 4. Respondent, pursuant to the limitations set forth
17 below, hereby admits that the factual allegations in the
18 Accusations, filed in these proceedings are true and correct and
19 the Real Estate Commissioner shall not be required to provide
20 further evidence to prove such allegations.

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

1 and proceeding on the Accusations under all the provisions of the
2 Administrative Procedure Act and shall not be bound by any
3 admission or waiver made herein.

4 6. The admissions herein, and Respondent's decision
5 not to contest the Accusations, are made solely for the purpose
6 of reaching an agreed disposition of this proceeding and are
7 expressly limited to this proceeding and any other proceeding or
8 case in which the Department of Real Estate or another licensing
9 agency of this state, another state or if the federal government
10 is involved, and otherwise shall not be admissible in any other
11 criminal or civil proceedings.

12 DETERMINATION OF ISSUES

13 By reason of the foregoing stipulations, admissions and
14 waivers and solely for the purpose of settlement of the pending
15 Accusations without a hearing, it is stipulated and agreed that
16 the following Determination of Issues shall be made:

17 The acts and omissions of Respondent, described in
18 Accusations H-29951 LA and H-29960 LA, are a violation of Code
19 Section 10137, and as described in Accusation H-29961 LA, is a
20 violation of Code Section 10177(g) and are cause for the
21 suspension or revocation of all real estate licenses and license
22 rights of Respondent under the provisions of of the Business and
23 Professions Code.

24 ORDER

25 WHEREFORE, THE FOLLOWING ORDER is hereby made:

26 All licenses and licensing rights of Respondent BILL
27 MOTA, under the Real Estate Law are suspended for a period of

1 sixty (60) days from the effective date of this Decision;
2 provided, however, that sixty (60) days of said suspension shall
3 be stayed for two (2) years upon the following terms and
4 conditions:

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

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

16 3. Respondent shall, within six (6) months from the
17 effective date of this Decision, take and pass the Professional
18 Responsibility Examination administered by the Department
19 including the payment of the appropriate examination fee. If
20 Respondent fails to satisfy this condition, the Commissioner
21 may order suspension of Respondent's license until Respondent
22 passes the examination.

23 4. No further cause for disciplinary action against
24 the real estate license of Respondent occurs within two (2)
25 years from the effective date of the Decision in this matter.

26 5. If Respondent fails to pass the Professional
27 Responsibility Examination in accordance with the terms and

1 conditions of the Decision, the Commissioner may, without a
2 hearing, order the immediate execution of all or any part of the
3 stayed suspension in which event the Respondent shall not be
4 entitled to any repayment nor credit, prorated or otherwise, for
5 money paid to the Department under the terms of this Decision.

6 6. If Respondent passes the Professional
7 Responsibility Examination and if no further cause for
8 disciplinary action against the real estate license of Respondent
9 occurs within two (2) years from the effective date of this
10 Decision, the stay hereby granted shall become permanent.

11 DATED: 10/28/04 CHRIS LEONG
12 CHRIS LEONG, ESQ.
13 Counsel for Complainant

14 * * *

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

26 Respondent can signify acceptance and approval of the
27 terms and conditions of this Stipulation and Agreement by faxing

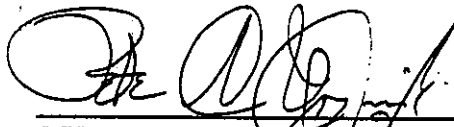
1 a copy of the signature page, as actually signed by Respondent,
2 to the Department at fax number (213) 576-6917. Respondent
3 agrees, acknowledges and understands that by electronically
4 sending to the Department a fax copy of his actual signature as
5 it appears on the Stipulation and Agreement, that receipt of the
6 faxed copy by the Department shall be as binding on Respondent as
7 if the Department had received the original signed Stipulation
8 and Agreement.

9
10 DATED: 9-20-04



BILL MOTA, individually and doing
business as South Hills Midland
Realty and formerly doing
business as Fred Sands Partners
Realty, Homelife Partners Realty,
and Re/Max West Covina
Respondent

11
12
13
14
15 DATED: 9/20/04



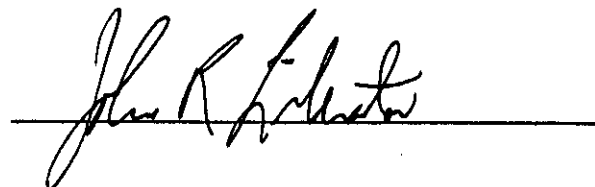
PETER URQUIJO, ESQ.
Counsel for Respondent
(Approved as to content)

16
17
18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on December 22, 2004.

22 IT IS SO ORDERED Nov. 19, 2004

23 JOHN R. LIBERATOR
24 Acting Real Estate Commissioner

25 
26
27

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

3 Telephone: (213) 576-6982
-or- (213) 576-6910 (Direct)

FILED
DEC -2 2004
DEPARTMENT OF REAL ESTATE

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 BILL MOTA, individually) DRE No. H-29960 LA
and doing business as South) OAH No. L-2004010668
13 Hills Midland Realty and) STIPULATION AND AGREEMENT
14 formerly doing business as)
Fred Sands Partners Realty,)
15 Homelife Partners Realty, and)
Re/Max West Covina and)
16 A. MAJADI,)
Respondents.)
17

18 It is hereby stipulated by and between A. MAJADI
19 (hereinafter "Respondent"), representing himself, and the
20 Complainant, acting by and through Chris Leong, Counsel for the
21 Department of Real Estate, as follows for the purpose of settling
22 and disposing of the Accusation filed on February 20, 2003. The
23 matter as to BILL MOTA will be handled separately.

24 1. All issues which were to be contested and all
25 evidence which was to be presented by Complainant and Respondent
26 at a formal hearing on the Accusation, which hearing was to be
27

1 held in accordance with the provisions of the Administrative
2 Procedure Act, shall instead and in place thereof be submitted
3 solely on the basis of the provisions of this Stipulation and
4 Agreement ("Stipulation").

5 2. Respondent has received, read and understands the
6 Statement to Respondent, the Discovery Provisions of the
7 Administrative Procedure Act and the Accusation, filed by the
8 Department of Real Estate in this proceeding.

9 3. Respondent filed a Notice of Defense pursuant to
10 Section 11506 of the Government Code for the purpose of
11 requesting a hearing on the allegations in the Accusation.
12 Respondent hereby freely and voluntarily withdraws said Notice of
13 Defense. Respondent acknowledges that he understands that by
14 withdrawing said Notice of Defense he will thereby waive his
15 right to require the Commissioner to prove the allegations in the
16 Accusation at a contested hearing held in accordance with the
17 provisions of the Administrative Procedure Act and that
18 Respondent will waive other rights afforded to him in connection
19 with the hearing, such as the right to present evidence in
20 defense of the allegations in the Accusation and the right to
21 cross-examine witnesses.

22 4. Respondent, pursuant to the limitations set forth
23 below, hereby admits that the factual allegations in Paragraphs 1
24 through 9 of the Accusation, filed in this proceeding are true
25 and correct and the Real Estate Commissioner shall not be
26 required to provide further evidence to prove such allegations.

27 5. It is understood by the parties that the Real

1 Estate Commissioner may adopt the Stipulation as his Decision in
2 this matter, thereby imposing the penalty and sanctions on
3 Respondent's real estate license and license rights as set forth
4 in the "Order" below. In the event that the Commissioner in his
5 discretion does not adopt the Stipulation, it shall be void and
6 of no effect, and Respondent shall retain the right to a hearing
7 and proceeding on the Accusation under all the provisions of the
8 Administrative Procedure Act and shall not be bound by any
9 admission or waiver made herein.

10 6. The admissions herein, and Respondent's decision
11 not to contest the Accusation, are made solely for the purpose of
12 reaching an agreed disposition of this proceeding and are
13 expressly limited to this proceeding and any other proceeding or
14 case in which the Department of Real Estate or another licensing
15 agency of this state, another state or if the federal government
16 is involved, and otherwise shall not be admissible in any other
17 criminal or civil proceedings.

18 DETERMINATION OF ISSUES

19 By reason of the foregoing stipulations, admissions and
20 waivers and solely for the purpose of settlement of the pending
21 Accusation without a hearing, it is stipulated and agreed that
22 the following Determination of Issues shall be made:

23 The acts and omissions of Respondent, described in
24 Paragraphs 1 through 9 of the Accusation, are a violation of Code
25 Section 10130 and are cause for the suspension or revocation of
26 all real estate licenses and license rights of Respondent under
27 the provisions of of the Business and Professions Code Section

10177(d).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent A.

MAJADI, under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

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

2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years of the effective date of this Decision. Should such 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.

3. Respondent shall, within six (6) months from the effective date of this Decision, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination.

1
2 4. No further cause for disciplinary action against
3 the real estate license of Respondent occurs within two (2)
4 years from the effective date of the Decision in this matter.

5 5. If Respondent fails to pass the Professional
6 Responsibility Examination in accordance with the terms and
7 conditions of the Decision, the Commissioner may, without a
8 hearing, order the immediate execution of all or any part of the
9 stayed suspension in which event the Respondent shall not be
10 entitled to any repayment nor credit, prorated or otherwise, for
11 money paid to the Department under the terms of this Decision.

12 6. If Respondent passes the Professional
13 Responsibility Examination and if no further cause for
14 disciplinary action against the real estate license of Respondent
15 occurs within two (2) years from the effective date of this
16 Decision, the stay hereby granted shall become permanent.

17
18 DATED: 10/28/04 CHRIS LEONG
19 CHRIS LEONG, ESQ.
20 Counsel for Complainant

21 * * *

22 I have read the Stipulation and Agreement and its
23 terms are understood by me and are agreeable and acceptable to
24 me. I understand that I am waiving rights given to me by the
25 California Administrative Procedure Act (including but not
26 limited to Sections 11506, 11508, 11509 and 11513 of the
27 Government Code), and I willingly, intelligently and voluntarily

1 waive those rights, including the right of requiring the
 2 Commissioner to prove the allegations in the Accusation at a
 3 hearing at which I would have the right to cross-examine
 4 witnesses against me and to present evidence in defense and
 5 mitigation of the charges.

6 Respondent can signify acceptance and approval of the
 7 terms and conditions of this Stipulation and Agreement by faxing
 8 a copy of the signature page, as actually signed by Respondent,
 9 to the Department at fax number (213) 576-6917. Respondent
 10 agrees, acknowledges and understands that by electronically
 11 sending to the Department a fax copy of his actual signature as
 12 it appears on the Stipulation and Agreement, that receipt of the
 13 faxed copy by the Department shall be as binding on Respondent as
 14 if the Department had received the original signed Stipulation
 15 and Agreement.

16 DATED:

17 Sept 27, 2004

18 A. MAJADI
 Respondent

19 * * *

20 The foregoing Stipulation and Agreement is hereby
 21 adopted as my Decision in this matter and shall become effective
 22 at 12 o'clock noon on December 22, 2004.

23 IT IS SO ORDERED

Nov. 19, 2004

24 JOHN R. LIBERATOR
 Acting Real Estate Commissioner

25 John R. Liberator
 26
 27

1 waive those rights, including the right of requiring the
2 Commissioner to prove the allegations in the Accusation at a
3 hearing at which I would have the right to cross-examine
4 witnesses against me and to present evidence in defense and
5 mitigation of the charges.

6 Respondent can signify acceptance and approval of the
7 terms and conditions of this Stipulation and Agreement by faxing
8 a copy of the signature page, as actually signed by Respondent,
9 to the Department at fax number (213) 576-6917. Respondent
10 agrees, acknowledges and understands that by electronically
11 sending to the Department a fax copy of his actual signature as
12 it appears on the Stipulation and Agreement, that receipt of the
13 faxed copy by the Department shall be as binding on Respondent as
14 if the Department had received the original signed Stipulation
15 and Agreement.

16
17 DATED: _____
18 A. MAJADI
19 Respondent

20 * * *

21 The foregoing Stipulation and Agreement is hereby
22 adopted as my Decision in this matter and shall become effective
23 at 12 o'clock noon on _____.

24 IT IS SO ORDERED _____

25 JOHN R. LIBERATOR
26 Acting Real Estate Commissioner
27 _____

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)

BILL MOTA, individually and doing)
business as South Hills Midland Realty)
and formerly doing business as)
Fred Sands Partners Realty,)
Homelife Partners Realty, and)
Re/Max West Covina and)
MARIA CARMEN BALDERRAMA,)

DRE No. H-29951 LA

OAH No. L-2004010662

In the Matter of the Accusation of)

BILL MOTA, individually and doing)
business as South Hills Midland Realty)
and formerly doing business as)
Fred Sands Partners Realty,)
Homelife Partners Realty, and)
Re/Max West Covina and A. MAJADI,)

DRE No. H-29960 LA

OAH No. L-2004010668

In the Matter of the Accusation of)

BILL MOTA, individually and doing)
business as South Hills Midland Realty)
and formerly doing business as)
Fred Sands Partners Realty,)
Homelife Partners Realty, and)
Re/Max West Covina and JOSE FLORES,)

DRE No. H-29961 LA

OAH No. L-2004010670

Respondents

FILED
APR 21 2004
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on OCTOBER 19, 2004 and proceed on a day-to-day basis, as necessary, through OCTOBER 22, 2004, at the hour of 9:00 A.M. or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

Notice of Hearing on Accusation
H-29951 LA
H-29960 LA
H-29961 LA
Page Two

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: April 21, 2004

By

CHRIS LEONG
CHRIS LEONG, Counsel

cc: Bill Mota
Maria Carmen Balderrama
A. Majadi
Jose Flores
Peter Urquijo, Esq.
Sacto.
OAH

1 CHRIS LEONG, Counsel (SBN 141079)
Department of Real Estate
2 320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105
3
4 Telephone: (213) 576-6982
-or- (213) 576-6910 (Direct)

FILED
FEB 20 2003
DEPARTMENT OF REAL ESTATE

[Handwritten signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-29960 LA
12 BILL MOTA, individually) A C C U S A T I O N
and doing business as South)
13 Hills Midland Realty and)
formerly doing business as)
14 Fred Sands Partners Realty,)
Homelife Partners Realty, and)
15 Re/Max West Covina and)
A. MAJADI,)
16 Respondents.)
17

18 The Complainant, Maria Suarez, a Deputy Real Estate
19 Commissioner of the State of California, for cause of
20 Accusation against, BILL MOTA, individually and doing business
21 as South Hills Midland Realty and formerly doing business as
22 Fred Sands Partners Realty, Homelife Partners Realty, and
23 Re/Max West Covina (hereafter "MOTA") and A. MAJADI (hereafter
24 "MAJADI") (hereafter sometimes both referred to as
25 "Respondents"), alleges as follows:
26
27

1.

1 The Complainant, Maria Suarez, a Deputy Real Estate
2 Commissioner of the State of California, makes this Accusation
3 in her official capacity.
4

2.

5 Respondent MOTA is presently licensed and/or has
6 license rights under the Real Estate Law, Part 1 of Division 4
7 of the Business and Professions Code (hereafter "Code"), as a
8 real estate broker, individually and doing business as South
9 Hills Midland Realty and formerly doing business as Fred Sands
10 Partners Realty, Homelife Partners Realty, and Re/Max West
11 Covina.
12

3.

13 Respondent MAJADI is presently licensed and/or has
14 license rights under the Code as a real estate salesperson.
15 At all times herein mentioned MAJADI was employed by
16 Respondent MOTA. From on or about January 11, 2001 to May 17,
17 2002, Respondent MAJADI's license was suspended pursuant to
18 Section 11350.6 of the Welfare and Institutions Code. The
19 suspension was released under Section 17520 of the Family
20 Code.
21

4.

22 At all times material herein, Respondents engaged in
23 the business of, acted in the capacity of, advertised or
24 assumed to act as real estate brokers in the State of
25 California, for another or others, and for or in expectation
26 of compensation, within the meaning of Code Section 10131(a).
27

1 Said activity included the operation and conduct of a real
2 estate sales business with the public wherein Respondents
3 solicited buyers and sellers of real property or negotiated
4 the sale and purchase of real property. Respondents also
5 engaged in broker escrow activity.

6 5.

7 All further references to "Respondents", unless
8 otherwise specified, include the parties identified in
9 Paragraphs 2 and 3 above, and also include the employees, agents
10 and real estate licensees employed by or associated with said
11 parties, who at all times herein mentioned were engaged in the
12 furtherance of the business or operations of said parties
13 and who were acting within the course and scope of their
14 authority and employment.

15 FIRST CAUSE OF ACCUSATION

16 6.

17 From on or about November 12, 2000 to May 17, 2002,
18 Respondent MAJADI's real estate salesperson license was
19 suspended. During this time period, Respondent MAJADI
20 solicited and negotiated, for compensation, a listing agreement
21 for real property located at 4123 11th Avenue, Los Angeles,
22 California 92114 (hereafter "11th Ave. property"). The owner of
23 the 11th Ave. property was Mildred Hutcherson (hereafter
24 "Seller"). Said conduct requires a real estate broker license
25 as described in Code Section 10131(a) and 10132.

26 ///

7.

1 Cristin Bell, a licensed real estate salesperson,
2 presented a Residential Purchase Agreement to Seller and MAJADI.
3 On May 22, 2001, MAJADI presented a counter offer that was
4 accepted by Seller. On June 25, 2001, escrow closed on the
5 transaction and pursuant to written commission disbursement
6 instructions South Hills Midland Realty and MAJADI received
7 commissions in the amount of \$7,800.00
8

9 8.

10 The conduct, acts and/or omissions of Respondent
11 MAJADI, as described herein above in Paragraphs 6 and 7,
12 constitutes a violation of Code Section 10130, and is cause for
13 the suspension or revocation of all real estate licenses and
14 license rights of Respondent MAJADI under the provisions of
15 Code Sections 10137 and/or 10177(d).

16 9.

17 The conduct, acts and/or omissions of Respondent
18 MOTA, as described herein above, constitutes negligence and a
19 violation of Code Section 10137 and is cause for the suspension
20 or revocation of all real estate licenses and license rights of
21 Respondent MOTA, under the provisions of Code Sections 10137,
22 10177(d) and/or 10177(g).

23 ///

24 ///

25 ///

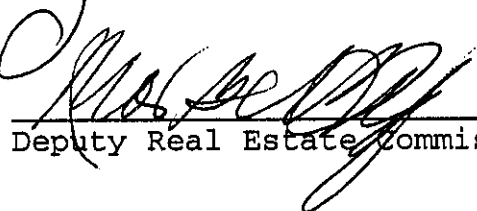
26 ///

27 ///

1
2 WHEREFORE, Complainant prays that a hearing be
3 conducted on the allegations of this Accusation and that upon
4 proof thereof, a decision be rendered imposing disciplinary
5 action against all licenses and/or license rights of
6 Respondents, BILL MOTA, individually and doing business as
7 South Hills Midland Realty and formerly doing business as Fred
8 Sands Partners Realty, Homelife Partners Realty, and Re/Max
9 West Covina and A. MAJADI, under the Real Estate Law (Part 1 of
10 Division 4 of the Business and Professions Code), and for such
11 other and further relief as may be proper under other
12 applicable provisions of law.

13 Dated at Los Angeles, California

14 this 19th day of February, 2003.

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17 Deputy Real Estate Commissioner

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24 cc: Bill Mota
25 A. Majadi
26 Maria Suarez
27 Sacto
ST