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FILED

1 Bureau of Real Estate
2 320 W. 4th St., Room 350
3 Los Angeles, California 90013
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8 Telephone: (213) 576-6982

AUG - 4 2015
BUREAU OF REAL ESTATE
By 

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of) No. H-39630 LA
12) L-2015020353
13)
14 COBURT HOLDING, INC.,) STIPULATION AND AGREEMENT
15 a corporate real estate broker,))
16 and MARCO ANDREAS BALJEU,))
17 designated officer of))
18 Coburt Holding, Inc.,))
19))
20 Respondents.))
21))

22 It is hereby stipulated by and between COBURT HOLDING,
23 INC. and MARCO ANDREAS BALJEU (sometimes referred to as
24 Respondents), and the Complainant, acting by and through James
25 R. Peel, Counsel for the Bureau of Real Estate, as follows for
26 the purpose of settling and disposing of the Accusation filed on
27 October 23, 2014, in this matter.

1. All issues which were contested and all evidence
which was presented by Complainant and Respondents at a formal
hearing on the Accusation, which hearing is to be held in
accordance with the provisions of the Administrative Procedure

1 Act ("APA"), shall instead and in place thereof be submitted
2 solely on the basis of the provisions of this Stipulation and
3 Agreement ("Stipulation").

4 2. Respondents have received, read and understand the
5 Statement to Respondent, the Discovery Provisions of the
6 Administrative Procedure Act ("APA") and the Accusation filed by
7 the Bureau of Real Estate in this proceeding.

8 3. On November 5, 2014, Respondents filed a Notice of
9 Defense pursuant to Section 11506 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 Accusation. Respondents hereby freely and voluntarily withdraw
12 said Notice of Defense. Respondents acknowledge that they
13 understand that by withdrawing said Notice of Defense they will
14 thereby waive their right to require the Commissioner to prove
15 the allegations in the Accusation at a contested hearing held in
16 accordance with the provisions of the APA and that they will
17 waive other rights afforded to them in connection with the
18 hearing such as the right to present evidence in defense of the
19 allegations in the Accusation and the right to cross-examine
20 witnesses.

21 4. This Stipulation is based on the factual
22 allegations contained in the Accusation filed in this
23 proceeding. In the interest of expedience and economy,
24 Respondents choose not to contest these factual allegations, but
25 to remain silent and understand that, as a result thereof, these
26 factual statements, will serve as a prima facie basis for the
27

1 disciplinary action stipulated to herein. The Real Estate
2 Commissioner shall not be required to provide further evidence
3 to prove such allegations.

4 5. This Stipulation is made for the purpose of
5 reaching an agreed disposition of this proceeding and is
6 expressly limited to this proceeding and any other proceeding or
7 case in which the Bureau of Real Estate ("Bureau"), the state or
8 federal government, or an agency of this state, another state or
9 the federal government is involved.

10 6. It is understood by the parties that the Real
11 Estate Commissioner may adopt the Stipulation as his decision
12 in this matter thereby imposing the penalty and sanctions on
13 Respondents' real estate licenses and license rights as set
14 forth in the below "Order". In the event that the Commissioner
15 in his discretion does not adopt the Stipulation, the
16 Stipulation shall be void and of no effect, and Respondents
17 shall retain the right to a hearing and proceeding on the
18 Accusation under all the provisions of the APA and shall not be
19 bound by any stipulation or waiver made herein.
20

21 7. The Order or any subsequent Order of the Real
22 Estate Commissioner made pursuant to this Stipulation shall not
23 constitute an estoppel, merger or bar to any further
24 administrative or civil proceedings by the Bureau of Real Estate
25 with respect to any conduct which was not specifically alleged
26 to be causes for accusation in this proceeding.

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DETERMINATION OF ISSUES

1
2 By reason of the foregoing stipulations and waivers
3 and solely for the purpose of settlement of the pending
4 Accusation, it is stipulated and agreed that the following
5 determination of issues shall be made:

I

6
7 The conduct, acts and/or omissions of Respondent
8 COBURT HOLDING, INC. subject its real estate license to
9 disciplinary action pursuant to sections 10177(d) and (g) of the
10 California Business and Professions Code in conjunction with
11 Regulation 2742, Title 10, Chapter 6, California Code of
12 Regulations.

II

13
14 The conduct, acts and omissions of Respondent MARCO
15 ANDREAS BALJEU subject his real estate license to disciplinary
16 action pursuant to sections 10159.2, 10177(h), and 10177(d) of
17 the California Business and Professions Code
18

ORDER

19
20 All licenses and licensing rights of Respondents
21 COBURT HOLDING, INC. and MARCO ANDREAS BALJEA under the Real
22 Estate Law are suspended for a period of ninety (90) days from
23 the effective date of this Decision; provided, however, that
24 ninety (90) days of said suspension shall be stayed for two (2)
25 years upon the following terms and conditions:

26 1. Respondents shall obey all laws, rules and
27 regulations governing the rights, duties and responsibilities of

1 a real estate licensee in the State of California; and

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

10 3. Respondents understand that by agreeing to this
11 Stipulation and Agreement, Respondents agree to pay, pursuant to
12 Section 10106 of the California Business and Professions Code
13 (Code), the cost of the investigation and enforcement which
14 resulted in the determination that Respondents committed the
15 violations found in the Determination of Issues. The amount of
16 said costs is \$350.

17
18 All licenses and licensing rights of Respondents are
19 indefinitely suspended unless or until Respondents pay the sum
20 of \$350 for the Commissioner's reasonable cost of the
21 investigation and enforcement which led to this disciplinary
22 action. Said payment shall be in the form of a cashier's check
23 or certified check made payable to the Bureau of Real Estate.

24
25 DATED: 7-9-15

James R. Peel
26 JAMES R. PEEL, Counsel for the
27 Bureau of Real Estate

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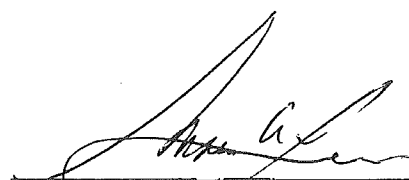
2 I have read the Stipulation and Agreement, and its
3 terms are understood by me and are agreeable and acceptable to
4 me. I understand that I am waiving rights given to me by the
5 California Administrative Procedure Act (including but limited
6 to Sections 11506, 11508, 11509 and 11513 of the Government
7 Code), and I willingly, intelligently and voluntarily waive
8 those rights, including the right of requiring the Commissioner
9 to prove the allegations in the Accusation at a hearing at which
10 I would have the right to cross-examine witnesses against me and
11 to present evidence in defense and mitigation of the charges.

12 Respondent can signify acceptance and approval of the
13 terms and conditions of this Stipulation and Agreement by faxing
14 a copy of the signature page, as actually signed by Respondent,
15 to the Bureau at the following telephone/fax number:
16 (213) 576-6917. Respondent agrees, acknowledges and understands
17 that by electronically sending to the Bureau a fax copy of his
18 or her actual signature as it appears on the Stipulation and
19 Agreement, that receipt of the faxed copy by the Bureau shall be
20 as binding on Respondent as if the Bureau had received the
21 original signed Stipulation and Agreement.

22 Further, if the Respondent is represented, the
23 Respondent's counsel can signify his or her agreement to the
24 terms and conditions of the Stipulation and Agreement by
25 submitting that signature via fax.
26
27

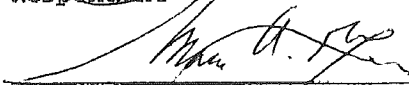
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DATED: 7/1/2015




COVERT HOLDING, INC.
Respondent

DATED: 7/1/2015



MARCO ANDREAS BALJEU
Respondent

DATED: 7-2-2015



Frank M. Buda
Counsel

* * *

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

IT IS SO ORDERED _____.

Real Estate Commissioner



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DATED: _____
COBURT HOLDING, INC.
Respondent

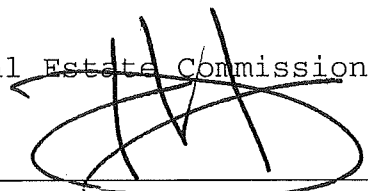
DATED: _____
MARCO ANDREAS BALJEU
Respondent

DATED: _____
Frank M. Buda
Counsel

* * *

The foregoing Stipulation and Agreement is hereby
adopted as my Decision and Order in this matter, and shall
become effective at 12 o'clock noon on August 24, 2015

IT IS SO ORDERED July 28, 2015

Real Estate Commissioner


By: JEFFREY MASON
Chief Deputy Commissioner