

FILED

FEB 23 2017

BUREAU OF REAL ESTATE

By *At Seloris*

1 Bureau of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013
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Telephone: (213) 576-6982

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

PROSPERITY 4 U, INC.; DIANA ERIKA ACOSTA, individually and as designated officer of Prosperity 4 U, Inc.; ELSIE ROMERO CAMBRONE, individually and as former designated officer of Prosperity 4 U, Inc.; and RAMON ACOSTA,

Respondent.

No. H-40341 LA

STIPULATION AND AGREEMENT

It is hereby stipulated by and between ELSIE ROMERO CAMBRONE ("Respondent") (license no. 00987723), who is represented by Michael Lanphere, Esq., and the Complainant, acting by and through Diane Lee, Esq., Counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Second Amended Accusation filed on or about January 23, 2017 in this matter:

I. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Second Amended Accusation, which hearing was to be held in accordance with the provisions of the

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

3 2. Respondent has received and read and understands the Statement to
4 Respondent, the Discovery Provisions of the APA, and the Second Amended Accusation filed by
5 the Bureau of Real Estate in this proceeding.

6 3. On or about September 13, 2016, Respondent filed a Notice of Defense
7 pursuant to California Government Code section 11506 for the purpose of requesting a hearing on
8 the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said
9 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said
10 Notice of Defense, she will thereby waive her right to require the Commissioner to prove the
11 allegations in the Second Amended Accusation at a contested hearing held in accordance with
12 the provisions of the APA and that she will waive other rights afforded to her in connection with
13 the hearing, such as the right to present evidence in defense of the allegations in the Second
14 Amended Accusation and the right to cross-examine witnesses.

15 4. Respondent, pursuant to the limitations set forth below, hereby admits that the
16 factual allegations against her in the Second Amended Accusation filed in this proceeding are
17 true and correct, and the Real Estate Commissioner shall not be required to provide further
18 evidence of such allegations.

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

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

DETERMINATION OF ISSUES

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

The conduct of Respondent, as set forth in the Second Amended Accusation, is grounds for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provision of California Business and Professions Code sections 10142, 10176(a), 10176(b), 10176(g), 10176(i), 10177(d), 10177(f), 10177(h), and 10177(j).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondent ELSIE ROMERO CAMBRONE, under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to California Business and Professions Code section 10156.5 if Respondent makes application therefor and pays to the Bureau of Real Estate the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision and Order. The restricted license issued to Respondent shall be subject to all of the provisions of California Business and Professions Code section 10156.7 and to the following limitations, conditions, and restrictions imposed under authority of the California Business and

1 Professions Code:

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

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

11 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
12 real estate license nor for the removal of any of the conditions, limitations, or restrictions of a
13 restricted license until five (5) years have elapsed from the date of issuance of the restricted
14 license to Respondent.

15 4. With the application for license or with the application for transfer to a new
16 employing broker, Respondent shall submit a statement signed by the prospective employing
17 broker on a form approved by the Bureau of Real Estate, such as the Restricted Salesperson
18 Change Application (RE 214A), wherein the employing broker shall certify as follows:

19 a. That broker has read the Second Amended Accusation which is the basis for
20 the issuance of the restricted license; and

21 b. That broker will carefully review all transaction documents prepared by the
22 restricted licensee and otherwise exercise close supervision over the
23 licensee's performance of acts for which a license is required.

24 5. Respondent shall notify the Commissioner in writing within 72 hours of any
25 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, P.O. Box

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1 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest,
2 the crime for which Respondent was arrested, and the name and address of the arresting law
3 enforcement agency. Respondent's failure to timely file written notice shall constitute an
4 independent violation of the terms of the restricted license and shall be grounds for the
5 suspension or revocation of that license.

6 6. Respondent shall not conduct any activity that requires a real estate license
7 with Prosperity 4 U, Inc. ("P4UI") (license no. 01898038), Diana Erika Acosta ("D. Acosta")
8 (license no. 01845162), Ramon Acosta ("R. Acosta.") (license no. 01267314). Respondent also
9 shall not conduct any activity that requires a real estate license with any brokerage and/or
10 company that is owned by, employed by, and/or associated through licensure with P4UI, D.
11 Acosta, and/or R. Acosta.

12 7. Respondent's employing broker shall not have any prior disciplinary actions
13 on his/her/its real estate license.

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15 (INVESTIGATION AND ENFORCEMENT COSTS)

16 II.

17 All license and license rights of Respondent are indefinitely suspended unless or
18 until Respondent pays the sum of \$7,134.90 for the Commissioner's reasonable cost for
19 investigation and enforcement which led to this disciplinary action within six (6) months from
20 the effective date of this Decision and Order. (As of January 30, 2017, the total cost for
21 investigation and enforcement is over \$21,000.) Said payment shall be in the form of a cashier's
22 check made payable to the Bureau of Real Estate. The investigative and enforcement costs must
23 be delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA
24 95813-7013, prior to the effective date of this Decision and Order.

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(AUDIT COSTS)

III.


Pursuant to California Business and Professions Code section 10148, Respondent
shall pay the sum of \$2,194.20 for the Commissioner's cost of the audit which led to this
disciplinary action. Respondent shall pay such cost within sixty (60) days from the effective date
of this Decision and Order. If Respondent fails to satisfy this condition in a timely manner as
provided for herein, Respondent's real estate licenses shall automatically be suspended until
payment is made in full, or until a decision providing otherwise is adopted following a hearing
held pursuant to this condition.

(PROFESSIONAL RESPONSIBILITY EXAM)

IV.

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

DATED: 02/02/2017



DIANE LEE
Counsel for Complainant

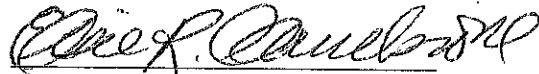
* * *

I have read the Stipulation and Agreement, 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 California Government
Code Sections 11506, 11508, 11509, and 11513), and I willingly, intelligently, and voluntarily waive

1 those rights, including the right of requiring the Commissioner to prove the allegations in the
2 Second Amended Accusation at a hearing at which I would have the right to cross-examine
3 witnesses against me and to present evidence in defense and mitigation of the charges. I also
4 understand I may have counsel, but waive that right and am choosing to represent myself in this
5 matter.

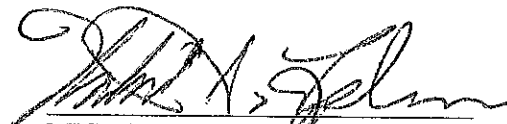
6 Respondent can signify acceptance and approval of the terms and conditions of
7 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by
8 Respondent, to the Bureau of Real Estate at fax number (213) 576-6917. Respondent agrees,
9 acknowledges, and understands that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

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14 DATED: 2/2/17


15 ELSIE ROMERO CAMBRONE
16 Respondent

17 I have reviewed the Stipulation and Agreement as to form and content, and have
18 advised my client accordingly.

19 DATED: 2/2/17


20 MICHAEL A. LANPHERE
21 Respondent's Counsel

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The foregoing Stipulation and Agreement is hereby adopted as my Decision in
this matter and shall become effective at 12 o'clock noon on MAR 15 2017.

IT IS SO ORDERED 2/17/2017 ~~2017~~ W/S

WAYNE S. BELL
REAL ESTATE COMMISSIONER

