

1 BUREAU OF REAL ESTATE
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED

MAR 28 2018

BUREAU OF REAL ESTATE

By *Suzanne Danne*

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9 BEFORE THE BUREAU OF REAL ESTATE
10 DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

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13 In the Matter of the Accusation against) CalBRE No. H-40745 LA
14 PAUL MIRADOR,) OAH No. 2017101046
15 Respondent.) STIPULATION & AGREEMENT IN
) SETTLEMENT AND ORDER

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17 It is hereby stipulated by and between Respondent PAUL MIRADOR
18 (“Respondent”) and the Complainant, acting by and through Lissete Garcia, Counsel for the
19 Bureau of Real Estate (“Bureau”), as follows for the purpose of settling and disposing the
20 Accusation filed on August 14, 2017, in this matter (“Accusation”):

21 1. All issues which were to be contested and all evidence which was to be
22 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
23 was to be held in accordance with the provisions of the Administrative Procedure Act (herein
24 “APA”), shall instead and in place thereof be submitted on the basis of the provisions of this

1 Stipulation and Agreement in Settlement and Order (herein "Stipulation").

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

5 3. On October 13, 2017, Respondent filed a Notice of Defense pursuant to
6 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations
7 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
8 Respondent acknowledges that he understands that by withdrawing said Notice of Defense he
9 will thereby waive his right to require the Commissioner to prove the allegations in the
10 Accusation at a contested hearing held in accordance with the provisions of the APA and that he
11 will waive other rights afforded to him in connection with the hearing such as the right to present
12 evidence in 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 Respondent chooses not to contest these
15 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
16 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
17 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
18 prove said factual allegations.

19 5. This Stipulation is made for the purpose of reaching an agreed disposition of
20 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
21 in which the Bureau, or another licensing agency of this state, another state, or the federal
22 government is involved, and otherwise shall not be admissible in any criminal or civil
23 proceeding.

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1 is grounds for the suspension or revocation of all of the real estate licenses and license rights of
2 Respondent under the provision of Sections 10186.2(b) and 10177(d) of the California Business
3 and Professions Code.

4 ORDER

5 All licenses and licensing rights of Respondent PAUL MIRADOR under the Real
6 Estate Law are hereby revoked; provided, however, a restricted real estate salesperson license
7 shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code
8 if Respondent makes application therefor and pays to the Bureau of Real Estate the appropriate
9 fee for said license within ninety (90) days from the effective date of this Decision. The
10 restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7
11 of the Business and Professions Code and to the following limitations, conditions and restrictions
12 imposed under authority of Section 10156.6 of that Code:

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

17 2. The restricted license may be suspended prior to hearing by Order of the Real
18 Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated
19 provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real
20 Estate Commissioner or conditions attaching to said restricted license.

21 3. Respondent shall not be eligible for the issuance of any unrestricted real estate
22 license nor for the removal of any of the conditions, limitations or restrictions of the restricted
23 license until at least three (3) years have elapsed from the effective date of this Decision.

1 Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions
2 attaching to the license have been removed.

3 4. Respondent shall submit with any application for license under an employing
4 broker, or any application for transfer to a new employing broker, a statement signed by the
5 prospective employing real estate broker on a form approved by the Bureau of Real Estate which
6 shall certify:

7 (a) That the employing broker has read the Decision of the Commissioner which
8 granted the right to a restricted license; and

9 (b) That the employing broker will exercise close supervision over the
10 performance by the restricted licensee relating to activities for which a real estate license is
11 required.

12 5. All licenses and licensing rights of Respondent are indefinitely suspended
13 unless or until Respondent pays the sum of \$1,924.60 for the Commissioner's reasonable cost of
14 the investigation and enforcement which led to this disciplinary action. Said payment shall be
15 in the form of a cashier's check made payable to the Bureau of Real Estate. **The investigative**
16 **and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O.**
17 **Box 137007, Sacramento, CA 95813-7007, prior to the effective date of this Order.**

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

4 7. Respondent shall notify the Commissioner in writing within **72 hours** of any
5 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
6 Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of Respondent's
7 arrest, the crime for which Respondent was arrested and the name and address of the arresting
8 law enforcement agency. Respondent's failure to timely file written notice shall constitute an
9 independent violation of the terms of the restricted license and shall be grounds for the
10 suspension or revocation of that license

11 3/6/2018

DATED



Lissete Garcia, Counsel
Bureau of Real Estate

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14 Respondent can signify acceptance and approval of the terms and conditions of
15 this Stipulation and Agreement by electronically emailing a copy of the signature page, as
16 actually signed by Respondent, to the Bureau. Respondent agrees acknowledges, and
17 understands that by electronically sending to the Bureau an electronic copy of Respondent's
18 actual signature as it appears on the Stipulation, that receipt of the emailed copy by the Bureau
19 shall be as binding on Respondent as if the Bureau had received the original signed Stipulation.
20 By signing this Stipulation, Respondent understands and agrees that Respondent may not
21 withdraw this agreement or seek to rescind the Stipulation prior to the time the Commissioner
22 considers and acts upon it or prior to the effective date of the Stipulation and Order.

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1 adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on

2 APR 16 2018, 2018.

3 IT IS SO ORDERED March 22, 2018.

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WAYNE S. BELL
REAL ESTATE COMMISSIONER



By: DANIEL J. SANDRI
Chief Deputy Commissioner