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1	MAY - 7 2021 DEPT. OF REAL ESTATE By
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of) No. H-41563 LA
12	STELLER CORP, CYNTHIA JANNETTE GOMEZ, individually and STIPULATION AND AGREEMENT
13	as former designated officer of Steller
14	individually and as former designated
15	officer of Steller Corp,
16	Respondents. ()
17	It is hereby stipulated and agreed by and between Respondents CYNTHIA
18	JANNETTE GOMEZ ("GOMEZ"), individually and as former designated officer of STELLER
19	CORP ("SC"), and CATHERINE ROMERO ("ROMERO"), individually and as former
20	designated officer of SC ("Respondents") and their attorney of record, Frank M. Buda, Esq., and
21	the Complainant, acting by and through Laurence Haveson, Counsel for the Department of Real
22	Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed
23	on January 6, 2020 ("Accusation") in this matter:
24	1. All issues which were to be contested and all evidence which was to be presented by
25	Complainant and Respondents at a formal hearing on the Accusation, which hearing was to be held
26	in accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead and
27	in place thereof be submitted solely on the basis of the provisions of this Stipulation and
28	Agreement ("Stipulation").
	STIPULATION AND AGREEMENT
	- 1 - No. H-41563-LA

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2. Respondents have received, read, and understand the Statement to Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department of Real Estate in this proceeding.

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4 3. On January 27, 2020, each of the Respondents filed a Notice of Defense pursuant to 5 section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in 6 the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense. 7 Respondents acknowledge that Respondents understand that by withdrawing said Notices of 8 Defense, Respondents will thereby waive Respondents' right to require the Real Estate 9 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested hearing 10 held in accordance with the provisions of the APA and that Respondents will waive other rights 11 afforded to Respondents in connection with the hearing such as the right to present evidence in 12 defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. This Stipulation is based on the factual allegations contained in the Accusation. In
the interest of expedience and economy, Respondents choose not to contest these allegations, but to
remain silent, and understand that, as a result thereof, these factual allegations, without being
admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein.
The Real Estate Commissioner shall not be required to provide further evidence to prove said
factual allegations.

5. This Stipulation and Respondents' decision not to contest the Accusation are made
 for the purpose of reaching an agreed disposition of this proceeding and are expressly limited to
 this proceeding and any other proceeding or case in which the Department, or another licensing
 agency of this state, another state, or if the federal government is involved, and otherwise shall not
 be admissible in any other criminal or civil proceedings.

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

- 7. The Order or any subsequent Order of the Commissioner made pursuant to this
 Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil
 proceedings by the Department with respect to any matters which were not specifically alleged to
 be causes for the Accusation in this proceeding.
- 8. Respondents understand that by agreeing to this Stipulation, Respondents agree to
 pay, pursuant to Business and Professions Code Section 10148, the cost of the original audit which
 led to this disciplinary action. The amount of said cost is \$10,039.04.
- 9. Respondents have received, read, and understand the "Notice Concerning Costs of
 Subsequent Audit." Respondents further understand that by agreeing to this Stipulation, the
 findings set forth below in the Determination of Issues become final, and the Commissioner may
 charge SC for the cost of any subsequent audit conducted pursuant to Business and Professions
 Code Section 10148 to determine if the violations have been corrected. The maximum cost of the
 subsequent audit shall not exceed 125% of cost of the original audit.
- 16 10. Respondents understand that by agreeing to this Stipulation, Respondents agree to
 17 pay, pursuant to Business and Professions Code Section 10106, the cost of the investigation and
 18 enforcement of this matter. The amount of said cost is \$1,503.60.
- 19

DETERMINATION OF ISSUES

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

23

I.

The conduct, acts, and/or omissions of Respondent SC as described in the Accusation,
constitute cause for the suspension or revocation of all real estate licenses and license rights of
Respondent SC under California Business and Professions Code ("Code") Sections 10141.6 and
10145, and Title 10, Chapter 6, California Code of Regulations ("Regulations") Sections 2831,
2831.1, 2832.1, 2950(d), 2950(g), 2950(h), and 2951. By separate Voluntary Surrender

- 3 -

1	Declaration, SC will voluntarily surrender its real estate licenses issued by the Department,
2	pursuant to Code Section 10100.2.
3	II.
4	The conduct, acts, and/or omissions of Respondent GOMEZ, as described in the
5	Accusation, constitute cause for the suspension or revocation of all real estate licenses and license
6	rights of Respondent GOMEZ under Code Section 10159.2 and Regulation 2725.
7	III.
8	The conduct, acts, and/or omissions of Respondent ROMERO, as described in the
9	Accusation, constitute cause for the suspension or revocation of all real estate licenses and license
10	rights of Respondent ROMERO under Code Section 10159.2 and Regulation 2725.
11	ORDER
12	I.
13	All licenses and licensing rights of Respondent GOMEZ under the Real Estate Law are
14	revoked; provided, however: (1) a restricted real estate broker license shall be issued to Respondent
15	GOMEZ pursuant to Section 10156.5 of the Code if Respondent GOMEZ makes application
16	therefore and pays to the Department the appropriate fee for a restricted license within ninety (90)
17	days from the effective date of this Decision and Order. The restricted license issued to
18	Respondent GOMEZ shall be subject to all of the provisions of Section 10156.7 of the Code and to
19	the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of
20	the Code:
21	1. The restricted license issued to Respondent GOMEZ may be suspended prior
22	to hearing by Order of the Commissioner in the event of Respondent GOMEZ's conviction, or
23	entry of a plea of guilty or no contest, for a crime that is substantially related to the qualifications,
24	functions, or duties of a real estate licensee.
25	2. The restricted license issued to Respondent GOMEZ may be suspended prior
26	to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner
27	that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
28	///
	STIPULATION AND AGREEMENT

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Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted
 licenses.

3 3. Respondent GOMEZ shall not be eligible to apply for the issuance of
4 unrestricted real estate licenses nor for removal of any of the conditions, limitations or restrictions
5 of a restricted license until two (2) years have elapsed from the effective date of this Decision and
6 Order.

For a period of two (2) years from the effective date of this Decision and
Order, Respondent GOMEZ shall not be the designated officer of any corporation that she is not
the one-hundred (100) percent owner of.

10 All license and licensing rights of Respondent GOMEZ are indefinitely 5. suspended unless or until Respondent GOMEZ provides evidence satisfactory to the Commissioner 11 12 of having taken and successfully completed the continuing education course on trust fund accounting and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the 13 Business and Professions Code. Proof of satisfaction of these requirements includes evidence that 14 Respondent GOMEZ has successfully completed the trust fund account and handling continuing 15 education courses, no earlier than one hundred and twenty (120) days prior to the effective date of 16 this Decision and Order. Proof of completion of the trust fund accounting and handling course 17 must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, 18 CA 95813-7013, no earlier than one hundred and twenty (120) days prior to the effective date of 19 this Decision and Order. 20

21 Respondent GOMEZ shall pay, severally or jointly with Respondents SC and 6. ROMERO, the sum of \$1,503.60 for the Commissioner's reasonable cost of the investigation and 22 enforcement which led to this disciplinary action within sixty (60) days from the effective date of 23 this Decision and Order. Said payment shall be in the form of a cashier's check made payable to 24 the Department of Real Estate. The investigative and enforcement costs must be delivered to 25 the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013. 26 Payment of investigation and enforcement costs should not be made until the Stipulation has 27 been approved by the Commissioner. If Respondents fail to satisfy this condition in a timely 28

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1 manner as provided for herein, Respondents' real estate licenses shall automatically be suspended
2 until payment is made in full, or until a decision providing otherwise is adopted following a hearing
3 held pursuant to this condition.

4 7. Pursuant to section 10148 of the Code, Respondent GOMEZ shall pay, severally or jointly with Respondents SC and ROMERO, the sum of \$10,039.04 for the 5 Commissioner's cost of the audit which led to this disciplinary action. Respondents shall pay 6 such cost within sixty (60) days of receiving an invoice therefore from the Commissioner. 7 Payment of audit costs should not be made until Respondents receive the invoice. If 8 9 Respondents fail to satisfy this condition in a timely manner as provided for herein, Respondents' real estate licenses shall automatically be suspended until payment is made in full, or until a 10 decision providing otherwise is adopted following a hearing held pursuant to this condition. 11

8. <u>Payment of the audit costs should not be made until Respondents receive</u>
<u>the invoice.</u> If Respondents fail to satisfy this condition in a timely manner as provided for herein,
Respondents' 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.
II.

All licenses and licensing rights of Respondent ROMERO under the Real Estate Law are
suspended for a period of sixty (60) days from the effective date of this Decision and Order;
provided, however, that:

1. Thirty (30) days of said suspension shall be stayed upon the condition that
 Respondent ROMERO petitions pursuant to Code Section 10175.2 and pays a monetary penalty
 pursuant to Code Section 10175.2 at a rate of one hundred dollars (\$100.00) for each day of the
 suspension for a total monetary penalty of \$3,000 (\$100.00 per day X thirty (30) days = \$3,000),
 and upon the following terms and conditions:

a. Said payment shall be in the form of a cashier's check made payable to the
Department of Real Estate. Said check must be delivered to the Department of Real Estate,
Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date
of this Decision and Order. Payment of said monetary penalty should not be made until

- 6 -

1	the Stipulation has been approved by the Commissioner.
2	b. No further cause for disciplinary action against the Real Estate license(s) of
3	Respondent ROMERO occurs within two (2) years from the effective date of the Decision
4	and Order in this matter.
5	c. If Respondent ROMERO fails to pay the monetary penalty in accordance
6	with the terms and conditions of this Decision and Order, the suspension shall go into effect
7	automatically. Respondent ROMERO shall not be entitled to any repayment nor credit,
8	prorated or otherwise, for money paid to the Department under the terms of this Decision
9	and Order.
10	d. If Respondent ROMERO pays the monetary penalty under this Stipulation
11	and Agreement and if no further cause for disciplinary action against the Real Estate
12	license(s) of Respondent ROMERO occurs within two (2) years from the effective date of
13	this Decision and Order, the entire stay hereby granted pursuant to this Decision and Order,
14	shall become permanent.
15	2. The remaining thirty (30) days of said suspension shall be stayed for two (2) years
16	upon the following terms and conditions:
17	a. Respondent ROMERO shall obey all laws, rules and regulations governing
18	the rights, duties and responsibilities of a real estate licensee in the State of California; and,
19	b. That no final subsequent determination be made, after hearing or upon
20	stipulation, that cause of disciplinary action occurred within two (2) years from the effective
21	date of this Decision and Order. Should such a determination be made, the Commissioner
22	may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of
23	the stayed suspension. Should no such determination be made, the stay imposed herein
24	shall become permanent.
25	3. For a period of two (2) years from the effective date of this Decision and Order,
26	Respondent ROMERO shall not be the designated officer of any corporation that she is not at least
27	a fifty (50) percent owner of.
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	- 7 - STIPULATION AND AGREEMENT

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1 4. All license and licensing rights of Respondent ROMERO are indefinitely suspended unless or until Respondent ROMERO provides evidence satisfactory to the Commissioner of 2 having taken and successfully completed the continuing education course on trust fund accounting 3 and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and 4 Professions Code. Proof of satisfaction of these requirements includes evidence that Respondent 5 6 ROMERO has successfully completed the trust fund account and handling continuing education 7 courses, no earlier than one hundred and twenty (120) days prior to the effective date of this Decision and Order. Proof of completion of the trust fund accounting and handling course must be 8 9 delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, no earlier than one hundred and twenty (120) days prior to the effective date of this 10 11 Decision and Order.

12 5. Respondent ROMERO shall pay, severally or jointly with Respondents SC and GOMEZ, the sum of \$1,503.60 for the Commissioner's reasonable cost of the investigation and 13 enforcement which led to this disciplinary action within sixty (60) days from the effective date of 14 this Decision and Order. Said payment shall be in the form of a cashier's check made payable to 15 the Department of Real Estate. The investigative and enforcement costs must be delivered to 16 17 the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013. Payment of investigation and enforcement costs should not be made until the Stipulation has 18 19 been approved by the Commissioner. If Respondents fail to satisfy this condition in a timely manner as provided for herein, Respondents' real estate licenses shall automatically be suspended 20 until payment is made in full, or until a decision providing otherwise is adopted following a hearing 21 22 held pursuant to this condition.

23 24

6. Pursuant to section 10148 of the Code, Respondent ROMERO shall pay, severally or jointly with Respondents SC and GOMEZ, the sum of \$10,039.04 for the Commissioner's cost of the audit which led to this disciplinary action. Respondents shall pay such cost within sixty 25 (60) days of receiving an invoice therefore from the Commissioner. Payment of audit costs 26 should not be made until Respondents receive the invoice. If Respondents fail to satisfy this 27 28 condition in a timely manner as provided for herein, Respondents' real estate licenses shall

1	automatically be suspended until payment is made in full, or until a decision providing otherwise is	5
2	adopted following a hearing held pursuant to this condition.	
3	7. <u>Payment of the audit costs should not be made until Respondents receive the</u>	
4	invoice. If Respondents fail to satisfy this condition in a timely manner as provided for herein,	
5	Respondents' real estate licenses shall automatically be suspended until payment is made in full, or	
6	until a decision providing otherwise is adopted following a hearing held pursuant to this condition.	
7		
8	DATED: 3/3/2021 Lan D. Hom	
9	Laurence D. Haveson Counsel for Complainant	
10	* * *	
11	EXECUTION OF THE STIPULATION	
1 2	We have read this Stipulation and its terms are understood by us and are agreeable and	
13	acceptable to us. We understand that we are waiving rights given to us by the California APA	
14	(including, but not limited to, sections 11506, 11508, 11509, and 11513 of the Government Code),	
15	and we willingly, intelligently, and voluntarily waive those rights, including the right of requiring	
16	the Commissioner to prove the allegations in the Accusation at a hearing at which we would have	
17	the right to cross-examine witnesses against us and to present evidence in defense and mitigation of	
18	the charges.	
19	Respondents can signify acceptance and approval of the terms and conditions of this	
20	Stipulation and Agreement by electronically e-mailing a copy of the signature pages, as actually	
21	signed by Respondents, to the Department. Respondents agree, acknowledge, and understand that	
22	by electronically sending to the Department an electronic copy of Respondents' actual signatures,	
23	as they appear on the Stipulation, that receipt of the emailed copy by the Department shall be as	
24	binding on Respondents as if the Department had received the original signed Stipulation. By	
25	signing this Stipulation, Respondents understand and agree that Respondents may not withdraw	
26	their agreement or seek to rescind the Stipulation prior to the time the Commissioner considers and	
27	acts upon it or prior to the effective date of the Stipulation and Order.	
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1	MAILING
2	Respondents and their counsel shall, within five (5) business days from signing the
3	Stipulation, mail the original signed signature page(s) of the Stipulation herein to Laurence
. 4	Haveson, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Room 350, Los
5	Angeles, California 90013-1105.
6	Respondents' signatures below constitute acceptance and approval of the terms and
7	conditions of this Stipulation. Respondents agree, acknowledge, and understand that by signing
8	this Stipulation Respondents are bound by its terms as of the date of such signature and that this
9	agreement is not subject to rescission or amendment at a later date except by a separate Decision
10	and Order of the Real Estate Commissioner.
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12	DATED:
13	Respondent CYNTHIA JANNETTE GOMEZ
14	
15	DATED: 225/2021 athine Romalio
16	Réspondent CATHERINE ROMERO
17	DATED: 3.2.21 FINL MRINK
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19	Frank M. Buda Attorney for Respondents Approved as to Form
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	- 10 - STIPULATION AND AGREEMENT No. H-41563-LA

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2 Respondents and their counsel shall, within five (5) business days from signing the 3 Stipulation, mail the original signed signature page(s) of the Stipulation herein to Laurence 4 Haveson, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Room 350, J 5 Angeles, California 90013-1105. 6 Respondents' signatures below constitute acceptance and approval of the terms and 7 conditions of this Stipulation. Respondents agree, acknowledge, and understand that by signing 8 this Stipulation Respondents are bound by its terms as of the date of such signature and that this 9 agreement is not subject to rescission or amendment at a later date except by a separate Decision 10 and Order of the Real Estate Commissioner. 11 DATED: N:N:M 13 Respondent CATHERINE ROMERO 14 DATED: Frank M. Buda 15 DATED: Frank M. Buda 16 Respondent's for Respondent's Approved as to Form 17 M Approved as to Form 18 DATED: Frank M. Buda 19 Attorney for Respondent's 20 M Approved as to Form 21 // M		
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Angeles, California 90013-1105. Respondents' signatures below constitute acceptance and approval of the terms and conditions of this Stipulation. Respondents agree, acknowledge, and understand that by signing this Stipulation Respondents are bound by its terms as of the date of such signature and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner. 11 DATED: <i>P</i> : <i>PW PH</i> 13 DATED: <i>Respondent</i> CATHERINE ROMERO 14 DATED: <i>P</i> : <i>PW PH</i> 15 DATED: <i>Respondent</i> CATHERINE ROMERO 16 <i>Respondent</i> CATHERINE ROMERO 17 <i>P</i> : <i>PW PH P</i> : <i>PH</i> 18 DATED: <i>P</i> : <i>PH</i> 19 <i>P</i> : <i>PH P</i> : <i>PH</i> 10 <i>P</i> : <i>PH P</i> : <i>PH</i> 11 <i>P</i> : <i>PH P</i> : <i>PH</i> 12 DATED: <i>P</i> : <i>PH</i> 13 <i>P</i> : <i>PH P</i> 14 <i>P</i> : <i>PH P</i> 15 DATED: <i>P</i> 16 <i>P P</i> 17 <i>P P</i> 18 DATED: <i>P P</i> 19 <i>P</i> <		4 Haveson, Attention: Legal Section, Department of Real Estate, 320 W Fourth St. Room 350 Los
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10 and Order of the Real Estate Commissioner. 11 DATED:		9 agreement is not subject to rescission or amendment at a later date except by a separate Decision
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19 Frank M. Buda Attorney for Respondents Approved as to Form 20	11	7
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- 10 - STIPULATION AND AGREEME No. H-41563-	20	
		- 10 - STIPULATION AND AGREEMENT No. H-41563-LA

The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on June 7th , 2021. DOUGLAS R. McCAULEY REAL ESTATE COMMISSIONER Bough R. milney STIPULATION AND AGREEMENT - 11 -No. H-41563-LA