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4	DEPT. OF REAL ESTATE
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8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	
12	In the Matter of the Accusation of)) NO. H-41804 LA
13	BEVERLY G ALVAREZ, and) VERLIN LIM SANCIANGCO)
14)
15	Respondent(s).
16	ODDED OD ANTDIO MONETA DV DENIAL TV IN LIEU OF SUSDENSION
17	ORDER GRANTING MONETARY PENALTY IN LIEU OF SUSPENSION
18	On February 25, 2022 a Decision was rendered herein by the Real Estate Commissioner
19	which would suspend the real estate broker license and license rights of Respondent Beverly G
20	Alvarez for thirty (30) days. Said Decision was to become effective on April 4, 2022 and was stayed
21	by separate Order to May 4, 2022.
22	On April 1, 2022 Respondent Beverly G Alvarez pursuant to Section 10175.2 of the
23	Business and Professions Code, petitioned for a stay of the thirty day suspension on condition that it
24	pay a monetary penalty of \$100.00 for each day of the suspension stayed or a total of \$3,000.00.
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I have considered the petition of Respondent and have concluded that good cause has been presented for reconsideration of the Decision of February 25, 2022 for the limited purpose of determining whether the suspension therein imposed should be stayed.

IT IS HEREBY ORDERED that the thirty (30) day suspension of the real estate broker license of Respondent Beverly G Alvarez shall be stayed on condition that Respondent pay a monetary penalty of \$3,000.00 prior to **June 3, 2022**, and on the further condition that Respondent incur no other cause for disciplinary action within the year following the date of this Order. Said penalty, if paid, shall be credited to the Recovery Account of the Real Estate Fund.

If Respondent pays the monetary penalty and if no further cause for disciplinary action against the real estate license of Respondent occurs within one year from the effective date of this Order, the stay hereby granted shall become permanent.

IT IS SO ORDERED 4, 14, 22

DOUGLAS R. McCAULEY REAL ESTATE COMMISSIONER

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1 2 3 4 5 6 7	Department of Real Estate 320 West 4th Street, Suite 350 Los Angeles, California 90013-1105 DEPT. OF REAL ESTATE By June 4
8	BEFORE THE DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Accusation of) No. H-41804 LA
12) BEVERLY G ALVAREZ, and) ORDER STAYING EFFECTIVE
13	VERLIN LIM SANCIANGCO,
14	Respondents.
15	ORDER STAYING EFFECTIVE DATE
16	ONDER STATING EFFECTIVE DATE On February 25, 2022, a Decision and Order was rendered in the above-titled
17	matter, to become effective April 4, 2022.
18	IT IS HEREBY ORDERED that the effective date of the Order of February 25,
19 20	2022 is stayed for a period of 30 days to consider Respondent's petition for reconsideration.
21	The Order of February 25, 2022 shall become effective at 12 o'clock noon on
22	May 4, 2022.
23	IT IS SO ORDERED
24	DOUGLAS R. McCAULEY
25	Real Estate Commissioner
26	Stephen Lerner
27	For Douglas McCauley
	ORDER STAYING EFFECTIVE DATE - 1 -

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1 2 3 4 5 6 7 8	Department of Real Estate 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105 Telephone: (213) 576-6982 MAR 0 4 2022 DEPT. OF REAL ESTATE By June DEPARTMENT OF REAL ESTATE
9	STATE OF CALIFORNIA
10 11 12 13	In the Matter of the Accusation of BEVERLY G ALVAREZ, and VERLIN LIM SANCIANGCO, STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER
14	Respondents.
15	
16	It is hereby stipulated by and between Respondent BEVERLY G ALVAREZ
17	("Respondent") and her attorney of record, Jeffrey S. Miles, and the Complainant, acting by and
18	through Kevin H. Sun, Counsel for the Department of Real Estate, as follows for the purpose of
19	settling and disposing of the Accusation filed on October 20, 2020, in this matter (Case No. H-
20	41804 LA):
21	1. All issues which were to be contested and all evidence which was to be presented
22	by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be
23	held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead
24	and in place thereof be submitted on the basis of the provisions of this Stipulation and Agreement
25	in Settlement and Order ("Stipulation").
26	///
27	///
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2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate in this proceeding.

3. On or about November 23, 2020, Respondent filed Notice of Defense pursuant to 4 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in 5 the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. 6 Respondent acknowledges that she understands that by withdrawing said Notice of Defense she 7 will thereby waive her rights to require the Commissioner to prove the allegations in the 8 Accusation at a contested hearing held in accordance with the provisions of the APA and that she 9 will waive other rights afforded to her in connection with the hearing such as the right to present 10 evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses. 11

4. This Stipulation is based on the factual allegations contained in the Accusation
filed in this proceeding. In the interest of expedience and economy, Respondent chooses not to
contest these factual allegations, but to remain silent and understands that, as a result thereof, these
factual statements, 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 such
allegations.

5. This Stipulation and Respondent's 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 of Real Estate
 ("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 and Agreement as his Decision in this matter, thereby imposing the penalty and
sanctions on Respondent's 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 and Agreement,
it shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding

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on the Accusation under all the provisions of the APA and shall not be bound by any admission or 1 waiver made herein. 2 7. The Order or any subsequent Order of the Real Estate Commissioner made 3 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any 4 further administrative or civil proceedings by the Department of Real Estate with respect to any 5 matters which were not specifically alleged to be causes for accusation in this proceeding. 6 7 **DETERMINATION OF ISSUES** By reason of the foregoing stipulations, admissions and waivers and solely for the 8 purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that 9 the following determination of issues shall be made: 10 The conduct of Respondent, as described in the Accusation, is in violation of 11 California Business and Professions Code ("Code") Section 10159.2, as well as Title 10, Chapter 6, 12 California Code of Regulations ("Regulations") Sections 2725 and is grounds for the suspension or 13 revocation of all of the real estate license and license rights of Respondent under the provision of 14 Code Section 10177(h) of the Code. 15 16 **ORDER** WHEREFORE, THE FOLLOWING ORDER is hereby made: 17 I. 18 19 (BEVERLY G ALVAREZ) All licenses and license rights of Respondent BEVERLY G ALVAREZ under 20 the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this 21 Decision, with thirty (30) days of actual suspension; 22 A. The remaining sixty (60) days of said suspension shall be stayed for two (2) 23 24 years upon the following terms and conditions: 25 1. That Respondent shall obey all laws, rules and regulations governing the 26 rights, duties and responsibilities of a real estate licensee in the State of California; and 27 ///

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2. That no final subsequent determination be made after hearing or upon
 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date
 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,
 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should
 no such determination be made under this section, the stay imposed herein shall become permanent.

C. 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
Department 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.

D. All licenses and licensing rights of Respondent are indefinitely suspended unless 11 or until Respondent pays the sum of \$5,557.60, for the Commissioner's reasonable costs of the 12 investigation and enforcement, which led to this disciplinary action. Said payment shall be in the 13 form of a cashier's check made payable to the Department of Real Estate. The payment for the 14 investigative and enforcement costs must be delivered to the Department of Real Estate, Flag 15 Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this 16 Decision and Order. If Respondent fails to satisfy this condition, the Commissioner shall order 17 suspension of Respondent's licenses and license rights until the sum is paid. 18

19 DATED: 12/6/2021 20

Kevin H. Sun, Counsel for Department of Real Estate

EXECUTION OF THE STIPULATION

I have read the Stipulation, have discussed it with my counsel, 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 Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and

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

Respondent shall <u>mail the original</u> signed signature page of the stipulation herein to
Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350,
Los Angeles, California 90013-1105.

In the event of time constraints before an administrative hearing, Respondent can 7 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by 8 emailing a scanned copy of the signature page, as actually signed by Respondent, to the Q Department counsel assigned to this case. Respondent agrees, acknowledges and understands that 10by electronically sending the Department a scan of Respondent's actual signature as it appears on E1 the Stipulation and Agreement that receipt of the scan by the Department shall be binding on 12 Respondent as if the Department had received the original signed Stipulation. Respondent shall also 13 mail the original signed signature page of this Stipulation to the Department counsel. 14

Respondent's signature below constitute acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges, and understands that by signing this Stipulation, Respondent is bound by its terms as of the date of such signatures 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.

20 12 3 2021 21 DATED: 22 23 24 12/3/2021 25 DATED:

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Beverly G Avarez, Respondent

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Jeffrey S. Miles, Esq. Counsel for Respondent Approved as to Form

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* * * The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent BEVERLY G ALVAREZ in this matter and shall become effective at 12 o'clock noon APR 0 4 2022 _____, 2021. on IT IS SO ORDERED 2.25.22, 2021. DOUGLAS R. McCAULEY REAL ESTATE COMMISSIONER Dough F. mino RE 511 Page 6 of 6 (Rev. 7/18)