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FILED
JUN - 8 2009
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RUBY HARO and HUGO URIAS GIL, Respondents.	No. H-2290 FR STIPULATION AND AGREEMENT

It is hereby stipulated by and between HUGO URIAS GIL (hereinafter "Respondent") and his attorney, Jakrun S. Sodhi, and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the First Amended Accusation (hereinafter "Accusation") filed on February 18, 2009 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 Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement in Settlement.

RECEIVED TIME APR. 14. 6:33AM

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. Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that he will thereby waive his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that he will waive other rights afforded to his in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

5. 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 license 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 in Settlement, it shall be void and of no effect, and Respondent 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.

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

DETERMINATION OF ISSUES

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

I

The acts and/or omissions of Respondent as described in the Accusation, violate Section 10137 of the Business and Professions Code (hereinafter "the Code") in conjunction with Section 10177(d) of the Code.

ORDER

I

All licenses and licensing rights of Respondent HUGO URIAS GIL under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands

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

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

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

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

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

5. Respondent shall, within six (6) months from the effective date of this Decision, 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, the Commissioner may order suspension of the restricted license until Respondent passes the examination.

6. Respondent shall, within nine (9) months from the effective date of this Order, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until Respondent presents such

evidence. The Commissioner shall afford Respondent the opportunity for hearing pursuant to the Administrative Procedure Act to present such evidence.

26-May-09
DATED

TRULY SUGHRUE, Counsel
DEPARTMENT OF REAL ESTATE

* * *

I have read the Stipulation and Agreement, 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 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.

May 20, 2009
DATED

HUGO URIAS GIL
Respondent

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

May 20, 2009
DATED

JAKRUN S. SODHI
Attorney for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on JUN 29 2009.

IT IS SO ORDERED 6/3/09, 2009.

JEFF DAVI
Real Estate Commissioner

Department of Real Estate
P.O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0781

FILED

MAY 27 2009

DEPARTMENT OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RUBY HARO and HUGO URAIS GIL, Respondents.	No. H-2290 FR STIPULATION AND AGREEMENT

It is hereby stipulated by and between Respondent RUBY HARO (hereinafter "Respondent"), and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the First Amended Accusation (hereinafter "Accusation") filed herein on February 18, 2009:

1. 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 Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement in Settlement.

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. Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that Respondent understands that by withdrawing said Notice of Defense Respondent will thereby waive Respondent's right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to Respondent in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. Respondent, pursuant to the limitations set forth below, hereby admits the factual allegations of the Accusation are true and correct and that the Real Estate Commissioner shall not be required to provide further evidence to prove such allegations.

5. 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 license and license rights as set forth in the "Order" set forth below. In the event that the Commissioner in his discretion does not adopt the Stipulation and Agreement in Settlement, it shall be void and of no effect, and Respondent 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.

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

7. Pursuant to Section 10087(b) of the California Business and Professions Code (hereinafter "the Code"), Respondent is hereby notified of the intention of the California

Real Estate Commissioner (hereinafter "the Commissioner") to issue an Order of Debarment pursuant to Section 10087(a) of the Code.

8. Pursuant to the authority granted to the Commissioner by Section 10087 of the Code, and after review and consideration of the Paragraph I of the Determination of Issues, below, the Commissioner finds:

(A) A Bar Order is in the public interest; and

(B) Respondent's violations of the Real Estate Law have caused material damage to the public.

9. Respondent acknowledges and understands that Respondent waives any right to request a hearing held in accordance with the provisions of the APA to contest the Bar Order.

DETERMINATION OF ISSUES

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

I

The acts and/or omissions of Respondent as described the Accusation constitute cause pursuant to the provisions of Section 10130 of the Code in conjunction with Section 10177(d) of the Code and Section 10177(j) of the Code for the suspension or revocation of all licenses and/or license rights of Respondent under the Real Estate Law.

ORDER

1. All licenses and licensing rights of RUBY HARO under the Real Estate Law are revoked.

2. You, RUBY HARO, pursuant to the authority of Section 10087 of the Code, are hereby barred and prohibited for a period of thirty-six (36) months from the effective date of this order, from engaging in any of the following activities in the State of California:

(A) Engaging in any business activity involving real estate that is subject to regulation under the real estate law ;

(B) Participating in any business activity of a real estate salesperson or a real estate broker;

(C) Engaging in any real estate related business activity on the premises where a real estate salesperson or real estate broker is conducting business; and,

(D) Participating in any real estate related business activity of a finance lender, residential mortgage lender, bank credit union, escrow company, title company, or underwritten title company.

27-April-09
DATED

TRULY SUGHRUE, Counsel
DEPARTMENT OF REAL ESTATE

* * *

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 Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and 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.

4-21-09
DATED

RUBY HARO
Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on JUN 17 2009

IT IS SO ORDERED 5/15, 2009.

JEFF DAVI
Real Estate Commissioner

FLAG

TRULY SUGHRUE, Counsel
State Bar No. 223266
Department of Real Estate
P. O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0781

FILED
FEB 18 2009
DEPARTMENT OF REAL ESTATE
By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RUBY HARO and HUGO URAIS GIL, Respondents.	No. H- 2290 FR FIRST AMENDED ACCUSATION

The Complainant, JOHN W. SWEENEY, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RUBY HARO, also known as "Liduvina Huizar" and HUGO URAIS GIL, (hereinafter "Respondents"), is informed and alleges as follows:

PRELIMINARY ALLEGATIONS

1

The Complainant, JOHN W. SWEENEY, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

2

Respondents are presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "Code").

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3

At all times mentioned, Respondent HUGO URAIS GIL, (hereinafter "GIL") was and is licensed by the State of California, Department of Real Estate (hereinafter "Department") individually as a real estate broker.

4

From and after May 14, 2008, Respondent RUBY HARO was and is licensed by the Department as a real estate salesperson. At no time prior to May 13, 2008 was HARO licensed as a real estate broker or salesperson.

5

At all times mentioned Respondents engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of:

(a) Section 10131(a) of the Code, including the operation and conduct of a real estate resale brokerage with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondents sold and offered to sell, bought and offered to buy, solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and resale of real property; and

(b) Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage business with the public wherein Respondents solicited lenders and borrowers for loans secured directly or collaterally by liens on real property or a business opportunity, and wherein such loans were arranged, negotiated, processed, and consummated by Respondents on behalf of others for compensation or in expectation of a compensation.

FIRST CAUSE OF ACTION

6

Each and every allegation in Paragraphs 1 through 5, inclusive, above are incorporated by this reference as if fully set forth herein.

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7

Beginning on or about November 2005, and within the last three years, GIL employed and compensated HARO, to perform the acts and to conduct the activities described in Paragraph 5, above, including but not limited to the activities described in Paragraphs 8 and 9, below.

8

In course of the activities and employment described above, without first being licensed by the Department either as a real estate salesperson or as a real estate broker, HARO, acting for and on behalf of another or others, for or in expectation of compensation, solicited loans secured directly or collaterally by liens on real property and/or sold and offered to sell, bought and offered to buy, solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and resale of real property, including but not limited to the real property located at: 460 Aztec Lane, Lathrop, California.

9

In course of the activities and employment described above, without first being licensed by the Department either as a real estate salesperson or as a real estate broker, HARO, acting for and on behalf of another or others, for or in expectation of compensation, solicited Rene Esquivel, using the name Diego Luna, for a purchase money mortgage.

10

In acting as described above, GIL violated and/or willfully failed to comply with Section 10137 of the Code, and HARO violated and/or willfully failed to comply with Section 10130 of the Code.

11

The facts alleged above are grounds for the suspension or revocation of the licenses and license rights of Respondents under the following provisions of the Code:

(a) As to Paragraphs 7 through 9, and GIL under Section 10137 of the Code in conjunction with Section 10177(d) of the Code; and

(b) As to Paragraphs 7 though 9, and HARO under Section 10130 of the Code in conjunction with Section 10177(d) of the Code.

SECOND CAUSE OF ACTION

12

Each and every allegation in Paragraphs 1 through 11, inclusive, above are incorporated by this reference as if fully set forth herein.

13

Between November 17, 2005 and May 8, 2006, HARO solicited and obtained a loan in the amount of $376,200 from Long Beach Mortgage Company to be secured by an encumbrance on the property located 460 Aztec Lane, Lathrop, California, by representing, contrary to fact, that the subject property would be HARO's primary residence. HARO knew this statement was false at the time made. In truth, Rigoberto and Rosa Ortiz intended to live in the property and HARO never intended to occupy the property.

14

The acts and omissions of HARO described above constitute fraud and/or dishonest dealing, and constitute cause to suspend or revoke all licenses and license rights of HARO pursuant to the provisions of Section 10177(j) of the Code.

PRIOR PROCEEDINGS

15

On or about May 12, 2008, in Case No. H-2258 FR before the Department of Real Estate, the Real Estate Commissioner issued an Order to Desist and Refrain against Haro for violation of Section 10130 of the Code.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) of Respondents, and for such other and further relief as may be proper under applicable provisions of law.

JOHN W. SWEENEY
Deputy Real Estate Commissioner

Dated at Fresno, California,
this 17th day of January, 2009.

TRULY SUGHRUE, Counsel
State Bar No. 223266
Department of Real Estate
P.O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0781

FILED

AUG 21 2008

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RUBY HARO, Respondent.	No. H- 2290 FR ACCUSATION

The Complainant, JOHN W. SWEENEY, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RUBY HARO, also known as "Liduvina Huizar", (hereinafter "Respondent"), is informed and alleges as follows:

PRELIMINARY ALLEGATIONS

I

The Complainant, JOHN W. SWEENEY, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

II

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "Code").

III

From and after May 14, 2008, Respondent was and is licensed by the Department as a real estate salesperson. At no time prior to May 13, 2008 was Respondent licensed as a real estate broker or salesperson.

IV

At all times mentioned, Respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of:

(a) Section 10131(a) of the Code, including the operation and conduct of a real estate resale brokerage with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent sold and offered to sell, bought and offered to buy, solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and resale of real property; and

(b) Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage business with the public wherein Respondent solicited lenders and borrowers for loans secured directly or collaterally by liens on real property or a business opportunity, and wherein such loans were arranged, negotiated, processed, and consummated by Respondent on behalf of others for compensation or in expectation of a compensation.

FIRST CAUSE OF ACTION

V

Each and every allegation in Paragraphs I through IV, inclusive, above are incorporated by this reference as if fully set forth herein.

VI

Beginning November 2005, Respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate salesperson or broker in the State of California, within the meaning of Section 10131(a) and/or 10131(d) of the Code, as described in Paragraph IV, including but not limited to the real property located at 460 Aztec Lane, Lathrop. These were activities for which a real estate license is required and which Respondent performed for or in expectation of compensation.

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VII

By the commission of the acts alleged above, Respondent engaged in the business and acted in the capacity of a real estate broker within the State of California as defined by Section 10131(a) and/or 10131(d) of the Code.

VIII

The acts of Respondent described above constitute cause to suspend or revoke all licenses and license rights of Respondent pursuant to the provisions of Sections 10130, 10131(a), 10131(d), and 10177(f) of the Code.

SECOND CAUSE OF ACTION

IX

Each and every allegation in Paragraphs I through VIII, inclusive, above are incorporated by this reference as if fully set forth herein.

X

Between November 17, 2005 and May 8, 2006, Respondent solicited and obtained a loan in the amount of $376,200 from Long Beach Mortgage Company to be secured by an encumbrance on the property located 460 Aztec Lane, Lathrop, California, by representing, contrary to fact, that the subject property would be Respondent's primary residence. Respondent knew this statement was false at the time made. In truth, Rigoberto and Rosa Ortiz intended to live in the property and Respondent never intended to occupy the property.

XI

The acts and omissions of Respondent described above constitute fraud and/or dishonest dealing, and constitute cause to suspend or revoke all licenses and license rights of Respondent pursuant to the provisions of Sections 10176(a), 10176(i), 10177(g), and/or 10177(j) of the Code.

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PRIOR PROCEEDINGS

XII

On or about May 12, 2008, in Case No. H-2258 FR before the Department of Real Estate, the Real Estate Commissioner issued an Order to Desist and Refrain against Respondent for violation of Section 10130 of the Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) of Respondent, and for such other and further relief as may be proper under applicable provisions of law.

John W. Sweeney by Jue

JOHN W. SWEENEY
Deputy Real Estate Commissioner

Dated at Fresno, California,
this 28th day of August, 2008