FILED

MAY 20 2010

DEPARTMENT OF REAL ESTATE

BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RICHARD PETER MOHR, individually, and doing business as RPM Real Estate Services, Respondent.	No. H-35965 LA

ORDER EXTENDING TIME

On November 16, 2009, a Decision was made suspending Respondent's real estate broker license for a period of ninety days from the effective date of the Decision, December 9, 2009. The entire period of the suspension was stayed on certain terms and conditions. The Decision obligated Respondent to take and pass the Professional Responsibility Examination within six months of the effective date of the Decision.

Good cause having been shown, the time during which Respondent must complete the condition described above is hereby extended to October 13, 2010.

This Order shall be effective immediately.

DATED: 8/16, 2010

JEFF DAVI
Real Estate Commissioner

Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982

FILED

NOV 19 2009

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of RICHARD PETER MOHR, individually, and doing business as RPM Real Estate Services, Respondent.	NO. H-35965 LA L-2009060007 STIPULATION AND AGREEMENT

It is hereby stipulated by and between RICHARD PETER MOHR, individually, and doing business as RPM Real Estate Services ("Respondent"), and Respondent's attorney, Edward D. Lear, and the Complainant, acting by and through Cheryl Keily, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on May 13, 2009, in this matter.

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondents 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.

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 ("Department") in this proceeding.

3. On May 22, 2009, Respondent filed an Answer to Accusation in propria persona, pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Answer to Accusation requesting a hearing on the Accusation. Respondent acknowledges that he understands that by withdrawing his request for a hearing on the allegations in the Accusation 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 him 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. This Stipulation and Agreement 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 litigate these allegations at a formal administrative hearing, 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. This Stipulation and Agreement and Respondent's decision not to contest the Accusation are hereby expressly limited to this proceeding and made for the sole purpose of reaching an agreed disposition of this proceeding. Respondent's decision not to contest the factual allegations at a formal administrative hearing is made solely for the purpose of effectuating this Stipulation and Agreement and is intended to be non-binding upon Respondent in any actions against him by third parties. The Real Estate Commissioner shall not be required to provide further evidence to prove said factual 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 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 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 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.

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:

The conduct of Respondent, as described in the Accusation, are in violation of Code Sections 10137 and 10161.8(a), and are grounds for the suspension or revocation of all the real estate licenses and license rights of Respondent under the provisions of Business & Professions Code sections 10177(d) and 10177(g).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

1. ALL licenses and licensing rights of Respondent RICHARD PETER MOHR under the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this decision. The entire period of the ninety (90) day suspension shall be stayed for two (2) years upon the following terms and conditions:

a. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and

b. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary

action occurred within two (2) years of 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 reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

2. Respondent shall, within six 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 Respondent's license until Respondent passes the examination.

DATED: 10/13/09

CHERYL D. KEILY, 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.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of its signature page, as actually signed by Respondent, to the Department at the following telephone/fax number (213) 576-6917. Respondent agrees, acknowledges, and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 10-8-09

RICHARD PETER MOHR
Respondent

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

DATED: 10/9/09

Edward D. Lear
Attorney for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on December 9, 2009.

IT IS SO ORDERED 11/16, 2009.

JEFF DAVI
Real Estate Commissioner

BY: Barbara J. Bigby
Chief Deputy Commissioner

CHERYL D. KEILY, SNB# 94008
Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

Telephone: (213) 576-6982
(Direct) (213) 576-6905

FILED

MAY 13 2009

DEPARTMENT OF REAL ESTATE
BY: _____

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of RICHARD PETER MOHR, individually, and doing business as RPM Real Estate Services, Respondent.	No. H-35965 LA A C C U S A T I O N

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RICHARD PETER MOHR ("MOHR"), individually, and doing business as RPM Real Estate Services, is informed and alleges as follows:

1.

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

2.

Respondent MOHR 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"), as a real estate broker.

3.

At all times relevant herein Andrew Lugo was licensed by the California Department of Real Estate ("Department") as a real estate salesperson.

4.

On or about March 12, 2009, at 505 E. Grove Street, Orange, California 92865, MOHR engaged in the business of negotiating, or offering to negotiate, loan modifications with respect to loans secured by liens on real property for compensation or in expectation of compensation.

FIRST CAUSE OF ACCUSATION

(Unlicensed Activity)

5.

Complainant hereby incorporates by reference the allegations set forth in Paragraphs 1 through 4, above.

6.

The activities described in Paragraph 4, above, require a real estate license under Section 10131(d) of the Code.

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7.

Respondent MOHR violated Section 10137 of the Code by employing and/or compensating individuals who were not licensed as a real estate salesperson or as a broker to perform activities requiring a license in that Respondent employed Impresa Development Corporation doing business as Loan Fixers and Paul Chiavatti to perform some or all of the services alleged in Paragraph 4, above, though neither was licensed as a real estate salesperson or broker.

8.

The conduct, acts and/or omissions of Respondent MOHR violate Code Section 10137, and are cause for the suspension or revocation of the licenses and license rights of Respondent MOHR pursuant to Code Sections 10177(d) and/or 10177(g).

SECOND CAUSE OF ACCUSATION

(Failure to Notify of Salesperson Employment)

9.

Complainant hereby incorporates by reference the allegations set forth in Paragraphs 1 through 8, above.

10.

Respondent violated Code Section 10161.8(a) and Section 2752 of the Regulations by employing and/or compensating salesperson Andrew Lugo to perform some or all of the activities described in Paragraph 4, above, without notifying the Department within five days of such employment.

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11.

The conduct, acts and/or omissions of Respondent MOHR, as set forth in Paragraph 10, above, are cause for the suspension or revocation of the license and license rights of Respondent MOHR pursuant to Code Sections 10177(d) and/or 10177(g).

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 the licenses and license rights of Respondent RICHARD PETER MOHR under the Real Estate Law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 11 day of May, 2009.

Robin Trujillo
Deputy Real Estate Commissioner

cc: RICHARD PETER MOHR
Robin Trujillo
Sacto.