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

(213)576-6982

FILED

DEC 31 2013

BUREAU OF REAL ESTATE

By

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of VALERIE LEE BARBER, Respondent.	No. H-38893 LA STIPULATION AND AGREEMENT

It is hereby stipulated by and between VALERIE LEE BARBER ("Respondent"), her attorney of record, Edward O. Lear of Century Law Group, and the Complainant, acting by and through Amelia V. Vetrone, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on or about June 3, 2013, in this matter:

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.

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

this proceeding.

3. On June 18, 2013, the Bureau of Real Estate received Respondent's Notice of Defense 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 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said Notice of Defense she will thereby waive her 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 she will waive other rights afforded to her 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 (or findings of fact as set forth below) in Paragraphs 2, and 3, of the Accusation filed in this proceeding are true and correct and the Real Estate Commissioner shall not be required to provide further evidence of 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, 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 Bureau of Real Estate with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

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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 is grounds for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provision of Sections 490 and 10177(b) of the California Business and Professions Code.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

A. All licenses and licensed rights of Respondent VALERIE LEE BARBER under the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this Decision; provided, however, that the initial thirty (30) days of said suspension shall be stayed upon the following terms and conditions:

1. Respondent VALERIE LEE BARBER shall pay a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code of $500 for a total monetary penalty of $500.

2. Said payment shall be in the form of a cashier's check or certified check made payable to the Recovery Account of the Real Estate Fund. Said check must be received by the Bureau prior to the effective date of the Decision in this matter.

3. No further cause for disciplinary action against the real estate licenses of Respondent occurs within two (2) years from the effective date of the Decision in this matter.

4. If Respondent fails to pay the monetary penalty in accordance with the terms and conditions of the Decision, the Commissioner may, without a hearing, order the immediate execution of all or any part of the stayed suspension, in which event the Respondent shall not be entitled to any repayment nor credit, prorated or otherwise, for money paid to the Bureau

under the terms of this Decision.

5. If Respondent pays the monetary penalty and if no further cause for disciplinary action against the real estate license of Respondent occurs within two (2) years from the effective date of the Decision, the stay hereby granted shall become permanent.

B. The remaining sixty (60) days of the ninety (90) day suspension shall be stayed for two (2) years upon the following terms and conditions:

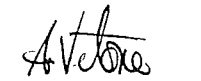
1. Respondent VALERIE LEE BARBER shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and

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 reimpose all or a portion of the stayed suspension. Should no such determination be made under this section, the stay imposed herein shall become permanent.

II.

Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at Bureau of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested, and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

DATED: 12-5-13



Amelia V. Vetrone
Counsel for the
Bureau 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 the signature page, as actually signed by Respondent, to the Bureau at the following telephone/fax number: (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy of her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation and Agreement.

DATED: 11-20-13

VALERIE LEE BARBER
Respondent

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

DATED: 11/25/13

Edward O. Lear
Attorney for Respondent

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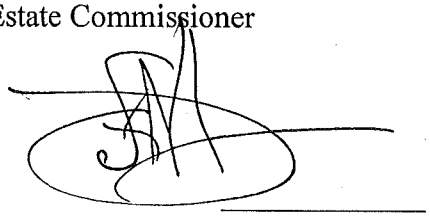
The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter, and shall become effective at 12 o'clock noon on JAN 2 1 2014.

IT IS SO ORDERED DEC 2 3 2013.

Real Estate Commissioner



By: JEFFREY MASON
Chief Deputy Commissioner

AMELIA V. VETRONE, Counsel (SBN 134612)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6940

FILED

JUN - 3 2013

DEPARTMENT OF REAL ESTATE
BY:

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of VALERIE LEE BARBER, Respondent.	No. H-38893 LA A C C U S A T I O N

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, acting in her official capacity, for cause of Accusation against VALERIE LEE BARBER ("Respondent") alleges as follows:

1.

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

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(LICENSE DISCIPLINE)

2.

On or about May 19, 2011, the Supreme Court of California issued an Order in State Bar Court Case Nos. 09-O-12143, 09-O-13356, 09-O-13675, and 10-O-00933 that the license of Respondent to practice law, License No. 170148, be suspended for a period of one year, stayed, with 30 days actual suspension and probation for two years, and that Respondent satisfy further conditions, all based on Respondent's violation of the Business and Professions Code.

3.

The acts resulting in the foregoing action taken with respect to Respondent's license to practice law, as described above, constitute cause under Section 10177(f) of the Business & Professions Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

California Business and Professions Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the department, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

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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 the licenses and license rights of Respondent, VALERIE LEE BARBER, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), for the costs of investigation and enforcement as provided by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California: 31 May 2013.

Maria Suarez
Deputy Real Estate Commissioner

cc: Valerie Lee Barber
Maria Suarez
Sacto.