

1 Department of Real Estate
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4
5 Telephone: (916) 227-0789
6
7

FILED
JUN 24 1998
DEPARTMENT OF REAL ESTATE

Lurrell Zain
By _____

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-2386 SD
12)
13 JACOB REYES QUIMPO,) OAH NO. L-1998040169
14) STIPULATION AND AGREEMENT
15 Respondent.)

16 It is hereby stipulated by and between JACOB REYES
17 QUIMPO (hereinafter "Respondent") and his attorney of record Dana
18 Cheryl Wynn, and the Complainant, acting by and through David A.
19 Peters, Counsel for the Department of Real Estate, as follows for
20 purpose of settling and disposing of the Amended Accusation filed
21 on April 6, 1998 in this matter:

22 1. All issues which were to be contested and all
23 evidence which as to be presented by Complainant and Respondent at
24 a formal hearing on the Accusation, which hearing was to be held
25 in accordance with the provisions of the Administrative Procedure
26 Act (APA), shall instead and in place thereof be submitted solely
27 on the basis of the provisions of this Stipulation and Agreement.

H-2386 SD

STIPULATION OF
JACOB REYES QUIMPO

1 2. Respondent has received, read and understands the
2 Statement to Respondent, the Discovery Provisions of the APA and
3 the Accusation filed by the Department of Real Estate in this
4 proceeding.

5 3. On March 24, 1998, Respondent filed a Notice of
6 Defense pursuant to Section 11505 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 said Notice of Defense. Respondent acknowledges that he
10 understands that by withdrawing said Notice of Defense he will be
11 thereby waive his right to require the Commissioner to prove the
12 allegations in the Amended Accusation at a contested hearing held
13 in accordance with the provisions of the APA and that he waives
14 other rights afforded to him in connection with the hearing such
15 as the right to present evidence in defense of the allegations in
16 the Amended Accusation and the right to cross-examine witnesses.

17 4. This Stipulation is based on the factual
18 allegations contained in the Accusation. In the interests of
19 expedience and economy, Respondent chooses not to contest these
20 allegations, but to remain silent and understands that, as a
21 result thereof, these factual allegations, without being admitted
22 or denied, will serve as a prima facie basis for the disciplinary
23 action stipulated to herein. The Real Estate Commissioner shall
24 not be required to provide further evidence to prove said factual
25 allegations.

26 5. It is understood by the parties that the Real
27 Estate Commissioner may adopt the Stipulation and Agreement as his

1 Commissioner or conditions attaching to the restricted
2 license.

3 (3) Respondent shall not be eligible to apply for the
4 issuance of an unrestricted real estate license nor for
5 the removal of any of the conditions, limitations or
6 restrictions of a restricted license until one (1) year
7 has elapsed from the effective date of this Decision.

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

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

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

21 D. Respondent shall, within nine (9) months from the effective
22 date of this Decision, present evidence satisfactory to the
23 Real Estate Commissioner that Respondent has, since the most
24 recent issuance of an original or renewal real estate license,
25 taken and successfully completed and continuing education
26 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
27 for renewal of a real estate license. If Respondent fails to

1 satisfy this condition, the Commissioner may order the
2 suspension of the restricted license until the Respondent
3 presents such evidence. The Commissioner shall afford
4 Respondent the opportunity for a hearing pursuant to the
5 Administrative Procedure Act to present such evidence.
6 E. Any restricted real estate salesperson license issued to
7 Respondent may be suspended or revoked for a violation by
8 Respondent of any of the conditions attaching to the restricted
9 license.

10
11 6/15/98
12 DATED

David A. Peters
13 DAVID A. PETERS, Counsel
14 DEPARTMENT OF REAL ESTATE

15 * * *

16 I have read the Stipulation and Agreement, have
17 discussed it with my counsel, and its terms are understood by me
18 and are agreeable and acceptable to me. I understand that I am
19 waiving rights given to me by the California Administrative
20 Procedure Act (including but not limited to Sections 11506, 11508,
21 11509, and 11513 of the Government Code), and I willingly,
22 intelligently, and voluntarily waive those rights, including the
23 right of requiring the Commissioner to prove the allegations in
24 the Accusation at a hearing at which I would have the right to
25 cross-examine witnesses against me and to present evidence in
26 defense and mitigation of the charges.

27 June 8, 1998
DATED

Jacob Reyes Quimpo
JACOB REYES QUIMPO
Respondent

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

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6-8-98 _____ Dana Cheryl Wynn
DATED DANA CHERYL WYNN
Attorney for Respondent

* * *

The foregoing Stipulation and Agreement for Settlement
is hereby adopted by the Real Estate Commissioner as Decision and
Order and shall become effective at 12 o'clock noon on
July 14, 1998.

IT IS SO ORDERED 6/22, 1998.

JIM ANTT, JR.
Real Estate Commissioner

Jr Antt

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
APR 28 1998
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of
JACOB REYES QUIMPO,



By Kathleen Contreras

Case No. H-2386 SD

OAH No. L-1998040169

Respondent

CONTINUED
NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____

The Office of Administrative Hearings, 1350 Front Street,

Suite 6022, San Diego, California 92101

on June 30, 1998, at the hour of 10:30 AM,

or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: April 28, 1998

By David A. Peters
DAVID A. PETERS Counsel

1 THOMAS C. LASKEN, Counsel
2 Department of Real Estate
3 P. O. Box 187000
4 Sacramento, CA 95818-7000

5 Telephone: (916) 227-0789

FILED
APR 6 1998
DEPARTMENT OF REAL ESTATE

Kathleen Contreras

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12	In the Matter of the Accusation of)	
13	JACOB REYES QUIMPO,)	NO. H-2386 SD
14	Respondent.)	<u>AMENDED ACCUSATION</u>
15	_____)	

16 The Complainant, J. Chris Graves, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Amended
18 Accusation against JACOB REYES QUIMPO (hereinafter "Respondent"),
19 is informed and alleges as follows:

20 I

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

25 II

26 The Complainant, J. Chris Graves, a Deputy Real Estate
27 Commissioner of the State of California, makes this Amended

1 Accusation against Respondent in his official capacity and not
2 otherwise.

3 III

4 On or about July 20, 1995, in the Municipal Court,
5 County of San Diego, State of California, in Case No. 564168,
6 a final judgment was entered against Respondent.

7 IV

8 On March 24, 1997, Respondent petitioned for
9 reinstatement of his real estate broker license. In response to
10 a question in the petition application, "Have you ever been a
11 defendant in any civil court litigation, including small claims
12 court", Respondent failed to answer said question and failed to
13 disclose in his petition the judgment described above. In
14 response to another question in the petition application, "Past
15 due debts - Do you have any past due debts, outstanding judgments,
16 or have you filed bankruptcy?" Respondent disclosed a 1988/89
17 bankruptcy, but again failed to disclose the judgment described
18 above.

19 V

20 The facts set forth in Paragraph IV, above, constitute
21 cause under Section 10177(a) of the Code for the suspension or
22 revocation of all licenses and license rights of Respondent under
23 the Real Estate Law.

24 PRIOR DISCIPLINARY ACTION

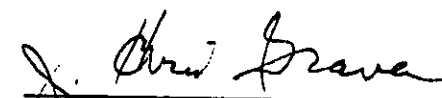
25
26 On January 4, 1996, effective January 30, 1996, in
27 Case Number H-2166 SD, the Real Estate Commissioner revoked the



1 real estate broker license of Respondent for a violation of
2 Section 10177(d) of the Code.

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

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J. CHRIS GRAVES
Deputy Real Estate Commissioner

18 Dated at San Diego, California,
19 this 2nd day of April, 1998

FILED
APR 2 1998
DEPARTMENT OF REAL ESTATE

**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

By Kathleen Contreras

In the Matter of the Accusation of

JACOB REYES QUIMPO,

Case No. H-2386 SD

OAH No. _____

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____

The Office of Administrative Hearings, 1350 Front Street,

Suite 6022, San Diego, California 92101

on April 28, 1998, at the hour of 11:00 AM,

or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: April 2, 1998

By Thomas C. Lasken
THOMAS C. LASKEN Counsel

FILED
MAR 12 1998

DEPARTMENT OF REAL ESTATE

By Shelly Cly

1 LARRY A. ALAMAO, Counsel
State Bar No. 47379
2 Department of Real Estate
P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789
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7

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 JACOB REYES QUIMPO,) NO. H-2386 SD
13 Respondent.) ACCUSATION
14 _____)

15 The Complainant, J. Chris Graves, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against JACOB REYES QUIMPO (hereinafter "Respondent"), is informed
18 and alleges as follows:

19 I

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

24 II

25 The Complainant, J. Chris Graves, a Deputy Real Estate
26 Commissioner of the State of California, makes this Accusation
27 against Respondent in his official capacity and not otherwise.

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III

On or about July 20, 1995, in the Municipal Court, County of San Diego, State of California, in Case No. 564168, a final judgment was entered against Respondent based on grounds of fraud, misrepresentation, or deceit with reference to a transaction for which a real estate license is required.

IV

On March 24, 1997, Respondent petitioned for reinstatement of his real estate broker license. In response to a question in the petition application, "Have you ever been a defendant in any civil court litigation, including small claims court", Respondent failed to answer said question and failed to disclose in his petition the judgment described above.

V

The facts set forth in Paragraph III, above, constitute cause under Section 10177.5 of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

VI

The facts set forth in Paragraph IV, above, constitute cause under Section 10177(a) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

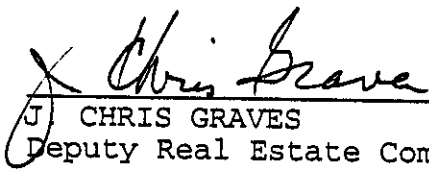
PRIOR DISCIPLINARY ACTION

On January 4, 1996, effective January 30, 1996, in Case Number H-2166 SD., the Real Estate Commissioner revoked the

1 real estate broker license of Respondent for a violation of
2 Section 10177(d) of the Code.

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

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J. CHRIS GRAVES
Deputy Real Estate Commissioner

17 Dated at San Diego, California,
18 this 11th day of March, 1998