

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789

FILED

MAR - 7 2012

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 STARRR FUNDINGS, INC., ) NO. H-2590 FR  
14 a Corporation, and )  
15 PRADEEP BALI, ) STIPULATION AND AGREEMENT  
16 Respondents. ) IN SETTLEMENT AND ORDER

17 It is hereby stipulated by and between Respondent STARRR FUNDINGS, INC.  
18 (herein "Respondent SFI"), PRADEEP BALI (herein "Respondent BALI") by and through  
19 David M. Gilmore, attorney of record herein for Respondents, and the Complainant, acting  
20 by and through Mary F. Clarke, Counsel for the Department of Real Estate (herein "the  
21 Department"), as follows for the purpose of settling and disposing of the Accusation filed on  
22 February 22, 2011, in this matter:

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

1                   2. Respondents have received, read and understand the Statement to Respondent,  
2 the Discovery Provisions of the APA, and the Accusation filed by the Department in this  
3 proceeding.

4                   3. Notices of Defense were filed on March 8, 2011, by Respondents, pursuant to  
5 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations  
6 in the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense.  
7 Respondents acknowledge that they understand that by withdrawing said Notices of Defense they  
8 will thereby waive their right to require the Real Estate Commissioner to prove the allegations in  
9 the Accusation at a contested hearing held in accordance with the provisions of the APA and that  
10 they will waive other rights afforded to them in connection with the hearing such as the right to  
11 present evidence in defense of the allegations in the Accusation and the right to cross-examine  
12 witnesses.

13                   4. Respondents, pursuant to the limitations set forth below, hereby admit that the  
14 factual allegations pertaining to them in the Accusation filed in this proceeding are true and  
15 correct and the Commissioner shall not be required to provide further evidence of such  
16 allegations.

17                   5. It is understood by the parties that the Commissioner may adopt the Stipulation  
18 and Agreement in Settlement and Order as his/her decision in this matter thereby imposing the  
19 penalty and sanctions on Respondents' real estate licenses and license rights as set forth in the  
20 below "Order". In the event that the Commissioner in his/her discretion does not adopt the  
21 Stipulation and Agreement in Settlement and Order, it shall be void and of no effect, and  
22 Respondents shall retain the right to a hearing and proceeding on the Accusation under all the  
23 provisions of the APA and shall not be bound by any admission or waiver made herein.

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

1 DETERMINATION OF ISSUES

2 The acts and omissions of Respondents as described in the Accusation are grounds  
3 for the suspension or revocation of the license and license rights of Respondents under Sections of  
4 10085 and 10085.5 of the California Business and Professions Code (herein the "Code") and Section  
5 2970 of Title 10, Chapter 6 of the California Code of Regulations (herein "the Regulations").

6 ORDER

7 I

8 All licenses and licensing rights of Respondent STARRR FUNDINGS, INC.,  
9 under the Real Estate Law are suspended for a period of thirty (30) days from the effective date  
10 of this Order.

11 II

12 1. Respondent PRADEEP BALI shall not be eligible to apply for the issuance of  
13 an unrestricted real estate salesperson or broker license, or petition for the removal of any of the  
14 conditions, limitations or restrictions of his restricted license until December 31, 2014.

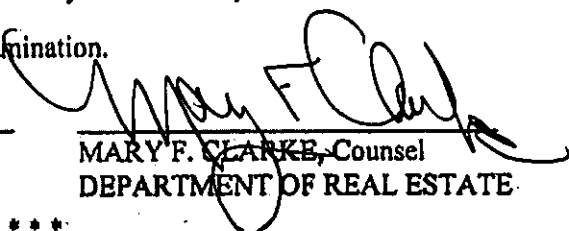
15 The restricted license shall be subject to all of the provisions of Section 10156.7  
16 of the Code and to the following limitations, conditions, and restrictions imposed under  
17 authority of Section 10156.6 of that Code:

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

22 b. The restricted license may be suspended prior to hearing by Order  
23 of the Commissioner on evidence satisfactory to the Commissioner  
24 that Respondent BALI has violated provisions of the California  
25 Real Estate Law, the Subdivided Lands Law, Regulations of the  
26 Real Estate Commissioner, or conditions attaching to the restricted  
27 license.

1                   2. Respondent BALI shall, within six (6) months from the effective date of this  
2 Order, take and pass the Professional Responsibility Examination administered by the  
3 Department, including the payment of the appropriate examination fee. If Respondent BALI  
4 fails to satisfy this condition, the Commissioner may order the suspension of the restricted  
5 license until Respondent BALI passes the examination.

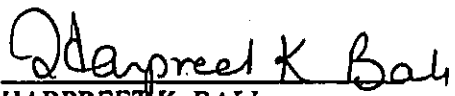
6                   1-30-12  
7                   DATED

  
MARY F. CLARKE, Counsel  
DEPARTMENT OF REAL ESTATE

8                   \*\*\*

9                   I have read the Stipulation and Agreement in Settlement and Order and its terms  
10 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
11 rights given to me by the California APA (including but not limited to Sections 11506, 11508,  
12 11509, and 11513 of the Government Code), and willingly, intelligently, and voluntarily waive  
13 those rights, including the right of requiring the Real Estate Commissioner to prove the  
14 allegations in the Accusation at a hearing at which I would have the right to cross-examine  
15 witnesses against me and to present evidence in defense and mitigation of the charges.

16                   Jan 25<sup>th</sup> 2012  
17                   DATED

18                   STARRR FUNDINGS, INC., Respondent  
19                   By:   
20                   HARPREET K. BALI  
21                   Designated Officer - Broker

22                   JAN 25<sup>th</sup> 2012  
23                   DATED

24                     
25                   PRADEEP BALI, Respondent

26                   \*\*\*

27                   I have reviewed the Stipulation and Agreement in Settlement and Order as to  
form and content and have advised my clients accordingly

1-25-12  
DATED

  
DAVID M. GILMORE  
Attorney for Respondents

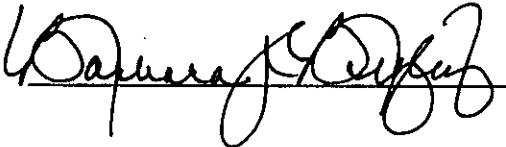
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The foregoing Stipulation and Agreement in Settlement and Order is hereby  
adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on  
March 27, 2012.

IT IS SO ORDERED 3/5, 2012.

BARBARA BIGBY  
Acting Real Estate Commissioner



1 MARY F. CLARKE, Counsel (SBN 186744)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789  
6 -or- (916) 227-0780 (Direct)

FILED

FEB 22 2011

DEPARTMENT OF REAL ESTATE

By K. Contreras

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

11 \* \* \*

|    |                                    |   |                   |
|----|------------------------------------|---|-------------------|
| 12 | In the Matter of the Accusation of | ) |                   |
|    |                                    | ) |                   |
| 13 | STARRR FUNDINGS, INC.,             | ) | NO. H- 2590 FR    |
|    | a Corporation, and                 | ) |                   |
| 14 | PRADEEP BALI,                      | ) | <u>ACCUSATION</u> |
|    |                                    | ) |                   |
| 15 |                                    | ) |                   |
|    | Respondents.                       | ) |                   |
| 16 |                                    | ) |                   |

17 The Complainant, LUKE MARTIN, a Deputy Real Estate Commissioner of the  
18 State of California, for Accusation against STARRR FUNDINGS, INC. (herein "SFI") and  
19 PRADEEP BALI (herein "BALI") (herein "Respondents"), is informed and alleges as follows:

20 1

21 The Complainant makes this Accusation against Respondents in his official  
22 capacity.

23 2

24 At all times mentioned herein, SFI was and now is licensed by the State of  
25 California Department of Real Estate (herein the "Department") as a corporate real estate broker  
26 by and through BALI as designated officer-broker of SFI to qualify said corporation and to act  
27 for said corporation as a real estate broker.

1  
2 At all times mentioned herein, BALI was licensed by the Department as a real  
3 estate broker, individually and as designated officer-broker of SFI. As said designated officer-  
4 broker, BALI was at all times mentioned herein responsible pursuant to Section 10159.2 of the  
5 California Business and Professions Code (herein the "Code") for the supervision of the  
6 activities of the officers, agents, real estate licensees, and employees of SFI for which a license is  
7 required.

8  
9 At all times mentioned herein, Respondents engaged in the business of, acted in  
10 the capacity of, advertised, or assumed to act as real estate brokers on behalf of others for  
11 compensation or in expectation of compensation within the State of California within the  
12 meaning of:

- 13 a) Section 10131(a) of the Code, including the operation and conduct of a real  
14 estate resale brokerage wherein Respondents sold or offered to sell, bought or  
15 offered to buy, solicited prospective sellers or purchasers of, solicited or  
16 obtained listings of, or negotiated the purchase, sale or exchange of real  
17 property or a business opportunity; and,  
18 b) Section 10131(d) of the Code, including the operation and conduct of a  
19 mortgage loan brokerage wherein Respondents solicited lenders or borrowers  
20 for or negotiated loans or collected payments or performed services for  
21 borrowers or lenders or note owners in connection with loans secured directly  
22 or collaterally by liens on real property or on a business opportunity.

23  
24 On about June 20, 2008, Respondents represented Mr. Vinay Vohra (herein  
25 "Vohra") in the purchase of MGA Liquor and Deli, located at 6026 N. Figarden Drive.  
26 Respondents collected an advance fee in the amount of about \$3,000 in order to "guarantee" the  
27 loan prior to submitting to the Department any or all materials used in advanced fee agreements,

1 including but not limited to the contract form, any letters or cards used to solicit prospective  
2 sellers, and radio and television advertising, at least 10 calendar days before it was used in  
3 obtaining said advance fee as required by Sections of 10085 and 10085.5 of the Code and Section  
4 2970 of Title 10, Chapter 6 of the California Code of Regulations (herein "the Regulations").

5 PRIOR DISCIPLINE

6 6

7 Effective December 29, 2010, in Case No. H-2469 FR, the Real Estate  
8 Commissioner revoked Respondent PRADEEP BALI's real estate broker license with a right to  
9 apply for a restricted salesperson license for violating Sections 10177(b) and 490 of the Code.

10 7

11 The facts alleged above are grounds for the suspension or revocation of the  
12 licenses and license rights of Respondents under Sections 10085 and 10085.5, and Section 2970  
13 of Regulations in conjunction with Section 10177(d) of the Code.

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

19  
20  
21 

22 \_\_\_\_\_  
23 LUKE MARTIN  
24 Deputy Real Estate Commissioner

25 Dated at Fresno, California,  
26 this 26<sup>th</sup> day of January, 2011.