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FILED

APR 23 2015

BUREAU OF REAL ESTATE

By K. Contreras

BEFORE THE
BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	NO. H-2884 FR
)	
AMY SORRENTI,)	<u>STIPULATION AND AGREEMENT</u>
)	
Respondent.)	

It is hereby stipulated by and between AMY SORRENTI ("Respondent") and her attorney, Karen M. Goodman, and the Complainant, acting by and through John W. Barron, Counsel for the Bureau of Real Estate (the "Bureau"), as follows for the purpose of settling and disposing of the Accusation filed on April 30, 2014, 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.

1 3. Respondent filed a Notice of Defense pursuant to Section 11505 of the
2 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
3 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
4 acknowledges that she will thereby waive her right to require the Real Estate Commissioner (the
5 "Commissioner") to prove the allegations in the Accusation at a contested hearing held in
6 accordance with the provisions of the APA and that she will waive other rights afforded to her in
7 connection with the hearing such as the right to present evidence in defense of the allegations in
8 the Accusation and the right to cross-examine witnesses.

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

12 5. It is understood by the parties that the Commissioner may adopt the
13 Stipulation and Agreement as his decision in this matter thereby imposing the penalty and
14 sanctions on Respondent's real estate license and license rights as set forth in the below Order.
15 In the event that the Commissioner in his discretion does not adopt the Stipulation and
16 Agreement, it shall be void and of no effect, and Respondent shall retain the right to a hearing
17 and proceeding on the Accusation under all of the provisions of the APA and shall not be bound
18 by any admission or waiver made herein.

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

23 7. Respondent further understands that by agreeing to this Stipulation and
24 Agreement, the findings set forth below in the Determination of Issues become final, and that the
25 Commissioner may charge said Respondent for the costs of the investigation and enforcement
26 herein. The amount of said costs is \$2,434.76.

1 DETERMINATION OF ISSUES

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

5 The acts and/or omissions of Respondent as described in the Accusation violate
6 Sections 10177(j) (fraud or dishonest dealing) and/or 10177(g) (negligence/incompetence) of the
7 California Business and Professions Code (the "Code").

8 ORDER

9 1. All licenses and licensing rights of Respondent under the Real Estate Law are
10 revoked; provided, however, a restricted real estate salesperson's license shall be issued to
11 Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefore
12 and pays to the Bureau the appropriate fee for the restricted license within 90 days from the
13 effective date of this Decision.

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

17 (a) The restricted license issued to Respondent shall be suspended prior to
18 hearing by Order of the Commissioner in the event of Respondent's
19 conviction (including by plea of guilty or nolo contendere) to a crime
20 which is substantially related to Respondent's fitness or capacity as a real
21 estate licensee; and,

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

1 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
2 real estate license, nor for removal of any of the conditions, limitations or restrictions of a
3 restricted license, until four (4) years have elapsed from the effective date of this Decision.

4 4. With the application for license, or with the application for transfer to a new
5 employing broker, Respondent shall submit a statement signed by the prospective employing real
6 estate broker on a form approved by the Bureau which shall certify as follows:

7 (a) That the employing broker has read the Decision which is the
8 basis for the issuance of the restricted license; and,

9 (b) That the employing broker will carefully review all transaction
10 documents prepared by the restricted licensee and otherwise
11 exercise close supervision over the licensee's performance of
12 acts for which a license is required.

13 5. Respondent shall notify the Commissioner in writing, within 72 hours of any
14 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
15 Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of Respondent's
16 arrest, the crime for which Respondent was arrested and the name and address of the arresting
17 law enforcement agency. Respondent's failure to timely file written notice shall constitute an
18 independent violation of the terms of the restricted license and shall be grounds for the
19 suspension or revocation of that license.

20 6. Respondent shall, within nine (9) months from the effective date of this
21 Decision, present evidence satisfactory to the Commissioner that Respondent has, since the most
22 recent issuance of an original or renewal real estate license, taken and successfully completed the
23 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal
24 of a real estate license. If Respondent fails to satisfy this condition, the Commissioner shall
25 order the suspension of the restricted license until the Respondent presents such evidence. The
26 Commissioner shall afford Respondent the opportunity for hearing pursuant to the APA to
27 present such evidence.

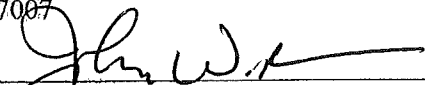
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7. Respondent shall, within six (6) months from the effective date of this
Order, take and pass the Professional Responsibility Examination administered by the Bureau,
including the payment of the appropriate examination fee. If Respondent fails to satisfy this
condition, the Commissioner may order the suspension of all licenses and licensing rights of
Respondent until Respondent passes the examination.

8. All licenses and licensing rights of Respondent are indefinitely suspended
unless or until Respondent pays the sum of \$2,434.76 representing the Commissioner's
reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
payment shall be in the form of a cashier's check or certified check made payable to the Real
Estate Fund. Said check must be received by the Bureau prior to the effective date of the Order
in this matter at the following address:

Bureau of Real Estate
Post Office Box 137007
Sacramento, CA 95813-7007

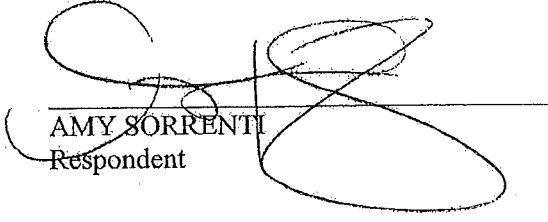
2/27/15
DATED


JOHN W. BARRON
Counsel for 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.

2/27/15
DATED


AMY SORRENTI
Respondent

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

2-27-15

DATED

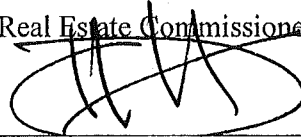


KAREN M. GOODMAN
Attorney for Respondent

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on **MAY 13 2015**

IT IS SO ORDERED APRIL 15, 2015.

Real Estate Commissioner



By: JEFFREY MASON
Chief Deputy Commissioner