

FILED

APR 18 2023

DEPARTMENT OF REAL ESTATE

By R. Dew

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of:)	DRE No. H-3289	FR
)		
<u>REALTY DIMENSIONS, INC.</u> , STEPHANIE)		
DIANE MAZZA, MELODY JOY BLAIN-EILERS)		
and MARTHA ELENA LUJAN-RUIZ,)		
Respondents.)		

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 6, 2021, a First Amended Accusation was filed in this matter against Respondents REALTY DIMENSIONS, INC., STEPHANIE DIANE MAZZA, MELODY JOY BLAIN-EILERS and MARTHA ELENA LUJAN-RUIZ.

On January 12, 2023, REALTY DIMENSIONS, INC. petitioned the Commissioner to voluntarily surrender its corporate real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent REALTY DIMENSIONS, INC.'s petition for voluntary surrender of its corporate real estate broker license be accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated January 12, 2023 (attached as Exhibit "A" hereto). Respondent's license certificate and pocket card shall be sent to the below-listed address so that

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they reach the Department of Real Estate on or before the effective date of this Order:

DEPARTMENT OF REAL ESTATE
Attention: Licensing Flag Section
P. O. Box 137013
Sacramento, CA 95813-7013

This Order shall become effective at 12 o'clock noon on MAY 09 2023.

DATED: 4.13.23

REAL ESTATE COMMISSIONER



DOUGLAS R. McCAULEY

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	
)	
REALTY DIMENSIONS, INC.,)	No. H-3289 FR
STEPHANIE DIANE MAZZA, MELANIE)	
JOY BLAINE-EILERS, MARTHA ELAINE)	<u>DECLARATION</u>
LUJAN-RUIZ,)	
)	
Respondents.		

On or about April 6, 2021, a First Amended Accusation was filed against REALTY DIMENSIONS, INC. ("Respondent") Respondent is currently licensed with the Department of Real Estate ("Department") as a corporate real estate broker, License No. 02069818.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedures Act (Government Code Sections 11400 *et seq.*), Respondent wishes to voluntarily surrender its corporate real estate license, including all rights and endorsements attached thereto, pursuant to Business and Professions Code ("Code") Section 10100.2.

Respondent understands that by voluntarily surrendering its corporate real estate broker license and all rights and endorsements attached thereto, Respondent's corporate real estate license may only be reinstated pursuant to Section 11522 of the Government Code. Respondent further understands that by voluntarily surrendering its corporate real estate license and all rights and endorsements associated with that license, Respondent agrees to the following provisions:

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2 DECLARATION OF REALTY DIMENSIONS, INC.

3 1. I, Martha Elaine Lujan-Ruiz, am the Chief Executive Officer for
4 Respondent and I am authorized to sign this Declaration on behalf of Respondent.

5 2. Respondent is currently licensed as a corporate real estate broker,
6 License No. 02069818, whose license expired on or about August 21, 2022.

7 3. The filing of this Declaration shall be deemed as Respondent's petition
8 for the voluntary surrender of its corporate real estate broker license and all license rights and
9 endorsements attached thereto.

10 4. The filing of this Declaration shall be deemed to be an understanding
11 and agreement by Respondent that it waives all rights it has to require the Commissioner to
12 prove the allegations contained in the First Amended Accusation, Department Case No. H-
13 3289 FR, at a hearing held in accordance with the provisions of the Administrative Procedures
14 Act (Government Code Sections 11400 *et seq.*).

15 5. Respondent agrees to waive other rights afforded to Respondent in
16 connection with the hearing on Department Case No. H-3289 FR, such as the right to
17 discovery, the right to present evidence in defense of the allegations made by the DRE in the
18 Accusation, and the right to cross-examine witnesses.

19 6. The agrees that the acts and/or omissions of Respondent, as described in
20 the First Amended Accusation, are grounds for the suspension or revocation of the licenses and
21 license rights of Respondent under the provisions of Sections 10130, 10131, 10145, 10177(d),
22 and 10177(g) of the Code, in conjunction with California Code of Regulations, Chapter 6, Tit.
23 10, Sections 2832.1 and 2832.

24 7. Respondent agrees that, upon acceptance by the Commissioner, as
25 evidenced by the appropriate Order, all affidavits and all relevant evidence obtained by the
26 DRE in this matter, and all allegations contained in the Accusation filed in Department Case
27 No. H-3289 FR may be considered by the Department to be true and correct for the purpose of


1 deciding whether or not to grant re-licensure to Respondent pursuant to Section 11522 of the
2 Government Code.

3 8. Respondent agrees that prior to, and only as a condition of a petition for
4 reinstatement made pursuant to Government Code section 11522 being granted, Respondent
5 will be liable to pay the Commissioner's reasonable cost of the audit that lead to the filing of
6 the First Amended Accusation, totaling \$49,689.25, that led to the disciplinary action in
7 Department Case No. H-3289 FR.

8 9. Respondent declares under penalty of perjury, under the laws of the State
9 of California, that the above is true and correct and that Respondent freely and voluntarily
10 surrenders its corporate real estate broker license and all license rights and endorsements
11 attached thereto.

12 REALTY DIMENSIONS, INC.
13 Respondent

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16 DATED: 1-12/23

17 By: 
18 MARTHA ELAINE LUJAN-RUIZ
19 Chief Executive Officer of Respondent
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FILED

APR 18 2023

DEPARTMENT OF REAL ESTATE

By *A. dew*

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 576-8700

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6
7 **BEFORE THE DEPARTMENT OF REAL ESTATE**
8 **STATE OF CALIFORNIA**

9 * * *

10 In the Matter of the Accusation of:)	Case No. H-3289 FR
)	
11 REALTY DIMENSIONS, INC.,)	<u>STIPULATION AND AGREEMENT</u>
12 STEPHANIE DIANE MAZZA, MELANIE)	<u>IN SETTLEMENT AND ORDER</u>
13 JOY BLAINE-EILERS, MARTHA ELAINE)	
14 LUJAN-RUIZ,)	
)	
15 Respondents.)	

16 It is hereby stipulated by and between Respondent MARTHA ELAINE LUJAN-
17 RUIZ ("Respondent"), acting by and through her attorney William Zimmer of Zimmer &
18 Melton, LLP, and the Complainant, acting by and through Adriana Z. Badilas, Counsel for the
19 Department of Real Estate ("Department"), as follows for the purpose of settling and disposing
20 of the First Amended Accusation filed on April 6, 2021, in this matter:

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

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

4 3. A Notice of Defense was received from Respondent pursuant to Section
5 11505 of the Government Code for the purpose of requesting a hearing on the allegations made
6 in the First Amended Accusation. Respondent hereby freely and voluntarily withdraws said
7 Notice of Defense. Respondent acknowledges that she understand that by withdrawing said
8 Notice of Defense she will thereby waive her rights to require the Commissioner to prove the
9 allegations in the Accusation at a contested hearing held in accordance with the provisions of
10 the APA and that she will waive other rights afforded to her in connection with the hearing
11 such as the right to present evidence in defense of the allegations in the Accusation and the
12 right to cross-examine witnesses.

13 4. This Stipulation is based on the factual allegations contained in the First
14 Amended Accusation. In the interest of expediency and economy, Respondent chooses not to
15 contest these factual allegations, but to remain silent and understand that, as a result thereof,
16 these factual statements will serve as a prima facie basis for the "Determination of Issues" and
17 "Order" set forth below. The Commissioner shall not be required to provide further evidence to
18 prove such allegations.

19 5. This Stipulation and Agreement is made for the purpose of reaching an
20 agreed disposition of this proceeding and is expressly limited to this proceeding and any other
21 proceeding or case in which the Department, the state or federal government, any agency of
22 this state, or an agency of another state is involved.

23 6. It is understood by the parties that the Real Estate Commissioner may adopt
24 the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalties
25 and sanctions on Respondent's real estate licenses and license rights as set forth in the below
26 "Order." In the event that the Commissioner in his discretion does not adopt the Stipulation
27 and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a

1 hearing and proceeding on the First Amended Accusation under all the provisions of the APA
2 and shall not be bound by any admission or waiver made herein.

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

8 DETERMINATION OF ISSUES

9 By reason of the foregoing stipulations, admissions, and waivers, and solely for
10 the purpose of settlement of the pending First Amended Accusation without further proceedings,
11 it is stipulated and agreed that the following Determination of Issues shall be made:

12 1. The acts and/or omissions of Respondent, as described in the First Amended
13 Accusation, are grounds for the suspension or revocation of the licenses and license rights of
14 Respondent under the provisions of Sections 10130, 10131, 10177(d), and 10177(g) of the Code.

15 ORDER

16 All licenses and licensing rights of Respondent under the Real Estate Law are
17 revoked; provided, however, a restricted real estate salesperson license shall be issued to
18 Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefore
19 for the restricted license within ninety (90) days from the effective date of this Decision and
20 Order. The restricted license issued to Respondent shall be subject to all of the provisions of
21 Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed
22 under authority of Section 10156.6 of that Code:

23 1. The restricted license issued to Respondent may be suspended prior to
24 hearing by Order of the Commissioner in the event of Respondent's conviction or plea of nolo
25 contendere to a crime which is substantially related to Respondent's fitness or capacity as a real
26 estate licensee.

27 ///

1 2. The restricted license issued to Respondent may be suspended prior to hearing
2 by Order of the Commissioner on evidence satisfactory to the Commissioner that Respondent
3 has violated provisions of the California Real Estate Law, the Subdivided Lands Law,
4 Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

5 3. Respondent shall not be eligible to petition for the issuance of any unrestricted
6 real estate license nor for removal of any of the conditions, limitations or restrictions of a
7 restricted license until three (3) years have elapsed from the effective date of this Decision and
8 Order. Respondent shall not be eligible to apply for any unrestricted license until all restrictions
9 attaching to the license have been removed.

10 4. Respondent shall, within six (6) months from the effective date of this Order,
11 take and pass the Professional Responsibility Examination administered by the Department,
12 including the payment of the appropriate examination fee. If Respondent fails to satisfy this
13 condition, Respondent's real estate license shall automatically be suspended until Respondent
14 passes the examination.

15 5. Respondent shall notify the Commissioner in writing within 72 hours of any
16 arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post
17 Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of
18 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
19 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
20 constitute an independent violation of the terms of the restricted license and shall be grounds for
21 the suspension or revocation of that license.

22 6. All licenses and licensing rights of Respondent are indefinitely suspended
23 unless or until Respondent pays the sum of \$5,771.55 for the Commissioner's reasonable costs of
24 the investigation which led to this disciplinary action. Said payment shall be in the form of a
25 cashier's check or certified check made payable to the Department. The investigative and
26 enforcement costs must be delivered to the Department of Real Estate, Flag Section at P.O. Box
27 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

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1/12/23

DATED

ADRIANA Z. BADILAS, 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 Second Amended 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 further agrees to send the original signed Stipulation and Agreement by mail to the following address no later than one (1) week from the date the Stipulation and Agreement is signed by Respondents: *Department of Real Estate, Legal Section, P.O. Box 137007, Sacramento, California 95813-7007.*

Respondent understands and agrees that if she fails to return the original signed Stipulation and Agreement by the due date, Complainant retains the right to set this matter for hearing.

1/10/23

DATED


MARTHA ELAINE LUJAN-RUIZ
Respondent

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

4/12/23
DATED


WILLIAM ZIMMER
Attorney for Respondent LUJAN-RUIZ

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 09 2023.

IT IS SO ORDERED 4.23.23, 2023.

REAL ESTATE COMMISSIONER



DOUGLAS R. McCAULEY