

1 Bureau of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

FILED

APR 11 2016

BUREAU OF REAL ESTATE

By *Angie Hanner*

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12) No. H-04770 SD
13 TRISTAN CERENZIE,)
14)
15 Respondent.)
_____)

16 It is hereby stipulated by and between TRISTAN CERENZIE ("Respondent")
17 (license no. 01959834), and the Complainant, acting by and through Diane Lee, Esq., Counsel for
18 the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Accusation
19 filed on January 25, 2016 in this matter:

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

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

2 3. Respondent did not file a Notice of Defense pursuant to California
3 Government Code section 11506 for the purpose of requesting a hearing on the allegations in the
4 Accusation. Respondent acknowledges that he understands that by not filing a Notice of
5 Defense, he thereby foregoes his right to require the Commissioner to prove the allegations in the
6 Accusation at a contested hearing held in accordance with the provisions of the APA and that he
7 will waive other rights afforded to him in connection with the hearing such as the right to present
8 evidence in his defense and the right to cross-examine witnesses.

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

12 5. It is understood by the parties that the Real Estate Commissioner may adopt
13 the 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 the provisions of the APA and shall not be bound by
18 any admission or waiver made herein.

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

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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 two (2) years have elapsed from the effective date of this Decision and
4 Order.

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

12 5. Respondent shall, within nine (9) months from the effective date of this
13 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
14 since the most recent issuance of an original or renewal real estate license, taken and successfully
15 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
16 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
17 Respondent's real estate license shall automatically be suspended until Respondent presents
18 evidence satisfactory to the Commissioner of having taken and successfully completed the
19 continuing education requirements. Proof of completion of the continuing education courses
20 must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento,
21 CA 95813-7013.

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1 6. All licenses and licensing rights of Respondent are indefinitely suspended
2 unless or until Respondent pays the sum of \$993.40 for the Commissioner's reasonable cost of
3 the investigation and enforcement which led to this disciplinary action. Said payment shall be in
4 the form of a cashier's check made payable to the Bureau of Real Estate. The investigative and
5 enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box
6 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

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8 DATED: 03/22/2016



DIANE LEE
Counsel for Complainant

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11 I have read the Stipulation and Agreement, and its terms are understood by me
12 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the
13 California Administrative Procedure Act (including but not limited to California Government
14 Code sections 11506, 11508, 11509, and 11513), and I willingly, intelligently, and voluntarily waive
15 those rights, including the right of requiring the Commissioner to prove the allegations in the
16 Accusation at a hearing at which I would have the right to cross-examine witnesses against me
17 and to present evidence in defense and mitigation of the charges. I also understand I may have
18 counsel, but waive that right and am choosing to represent myself in this matter.

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1 Respondent can signify acceptance and approval of the terms and conditions of
2 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by
3 Respondent, to the Bureau of Real Estate at fax number (213) 576-6917. Respondent agrees,
4 acknowledges, and understands that by electronically sending to the Bureau of Real Estate a fax
5 copy of his actual signature as it appears on the Stipulation and Agreement, that receipt of the
6 faxed copy by the Bureau of Real Estate shall be as binding on Respondent as if the Bureau of
7 Real Estate had received the original signed Stipulation and Agreement.

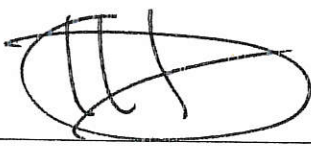
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9 DATED: 3/16/17


10 TRISTAN CERENZIE
11 Respondent

12 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
13 this matter and shall become effective at 12 o'clock noon on MAY 02 2016

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15 IT IS SO ORDERED MARCH 30, 2016

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17 WAYNE S. BELL
18 REAL ESTATE COMMISSIONER

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20 By: JEFFREY MASON
21 Chief Deputy Commissioner
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