

FILED

JUN - 6 2017

BUREAU OF REAL ESTATE

By Adelous

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-04817 SD
ALAN EVERETT BLISS,) STIPULATION AND AGREEMENT
Respondent.)

It is hereby stipulated by and between Respondent ALAN EVERETT BLISS ("Respondent"), individually, and the Complainant, acting by and through Steve Chu, Counsel for the Bureau of Real Estate ("Bureau"), as follows for the purpose of settling and disposing of the Accusation filed on July 28, 2016, and the Second Amended Accusation filed on April 11, 2017, 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 Second Amended 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 ("Stipulation").

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

1 3. On August 19, 2016, Respondent filed a Notice of Defense pursuant to
2 Section 11506 of the Government Code for the purpose of requesting a hearing on the
3 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
4 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
5 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate
6 Commissioner ("Commissioner") to prove the allegations in the Second Amended Accusation
7 at a contested hearing held in accordance with the provisions of the APA and that Respondent
8 will waive other rights afforded to Respondent in connection with the hearing such as the right
9 to present evidence in defense of the allegations in the Second Amended Accusation and the
10 right to cross-examine witnesses.

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

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

22 6. The Order or any subsequent Order of the Commissioner made pursuant
23 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
24 civil proceedings by the Bureau with respect to any matters which were not specifically alleged
25 to be causes for the Second Amended Accusation in this proceeding.

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

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

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

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1 6. All licenses and licensing rights of Respondent are indefinitely
2 suspended unless or until Respondent pays the sum of \$2,155.85 for the Commissioner's
3 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
4 payment shall be in the form of a cashier's check made payable to the Bureau of Real Estate.
5 The investigative and enforcement costs must be delivered to the Bureau of Real Estate,
6 Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, along with a copy of this
7 Stipulation prior to the effective date of this Decision and Order.

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9 DATED: 5-9-2017


Steve Chu, Counsel
Bureau of Real Estate

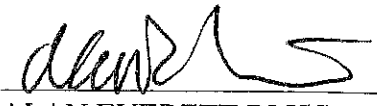
12 * * *

13 I have read the Stipulation and Agreement. I understand that I am waiving rights
14 given to me by the California Administrative Procedure Act, (including but not limited to
15 Sections 11521 and 11523 of the Government Code), and I willingly, intelligently, and
16 voluntarily waive those rights, including the right to seek reconsideration and the right to seek
17 judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

18 I agree, acknowledge, and understand that I cannot rescind or amend this
19 Stipulation and Agreement.

20 I can signify acceptance and approval of the terms and conditions of this
21 Stipulation and Agreement by mailing the original signed Stipulation and Agreement to:
22 Steve Chu, Bureau of Real Estate, 320 West 4th Street, Suite 350, Los Angeles,
23 California 90013-1105.

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25 DATED: 5/3/2017


ALAN EVERETT BLISS
Respondent

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