

FILED

MAY - 3 2017

BUREAU OF REAL ESTATE

By *Adelino*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-04822 SD
)	
PRIME INVESTORS CORPORATION)	<u>STIPULATION AND AGREEMENT</u>
and RICHARD MORELOS ALVAREZ,)	
as designated officer of PRIME)	
INVESTORS CORPORATION,)	
)	
Respondents.)	
)	

It is hereby stipulated by and between Respondent PRIME INVESTORS CORPORATION and Respondent RICHARD MORELOS ALVAREZ, as designated officer of PRIME INVESTORS CORPORATION ("Respondents"), represented by Frank Buda, 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 August 2, 2016, in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondents 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 ("Stipulation").

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

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

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

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

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

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 a hearing, it is stipulated and
4 agreed that the following Determination of Issues shall be made:

5 The conduct, acts, or omissions of Respondent PRIME INVESTORS
6 CORPORATION and Respondent RICHARD MORELOS ALVAREZ, as described in the
7 Accusation, constitute cause for the suspension or revocation of all real estate licenses and
8 license rights of Respondent PRIME INVESTORS CORPORATION and Respondent
9 RICHARD MORELOS ALVAREZ under California Business and Professions Code ("Code")
10 Sections 10177(d), 10177(f), 10177(g), 10177(h), and 10177(j).

11 ORDER

12 All licenses and licensing rights of Respondent PRIME INVESTORS
13 CORPORATION and Respondent RICHARD MORELOS ALVAREZ under the Real Estate
14 Law are revoked; provided, however, a restricted corporate real estate broker license shall be
15 issued to Respondent PRIME INVESTORS CORPORATION and a restricted designated
16 officer license shall be issued to Respondent RICHARD MORELOS ALVAREZ pursuant to
17 Section 10156.5 of the Code if Respondents make application therefor and pay to the Bureau
18 the appropriate fees for the restricted licenses within ninety (90) days from the effective date of
19 this Decision. The restricted licenses issued to Respondents shall be subject to all of the
20 provisions of Section 10156.7 of the Code and to the following limitations, conditions, and
21 restrictions imposed under Section 10156.6 of the Code:

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

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

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


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

20 5. Respondent shall notify the Commissioner in writing within 72 hours of
21 any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate,
22 Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the
23 date of Respondent's arrest, the crime for which Respondent was arrested and the name and
24 address of the arresting law enforcement agency. Respondent's failure to timely file written
25 notice shall constitute an independent violation of the terms of the restricted license and shall
26 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 \$1,759.45 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, prior to the effective date of
7 this Decision and Order.

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9 DATED: 4-3-2017


Steve Chu, Counsel
Bureau of Real Estate

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

We agree, acknowledge, and understand that we cannot rescind or amend this Stipulation and Agreement.

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

DATED: March 13, 2017

Richard Morelos Alvarez
PRIME INVESTORS CORPORATION
Respondent
By RICHARD MORELOS ALVAREZ,
as designated officer of PRIME
INVESTORS CORPORATION

DATED: March 13, 2017

Richard Morelos Alvarez
RICHARD MORELOS ALVAREZ
Respondent

DATED: 3-15-17

Frank Buda
Frank Buda
Counsel for Respondent
Approved as to Form

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The foregoing Stipulation and Agreement is hereby adopted by me as my
Decision in this matter as to Respondent PRIME INVESTORS CORPORATION and
Respondent RICHARD MORELOS ALVAREZ, and shall become effective at 12 o'clock noon
on MAY 23 2017.

IT IS SO ORDERED

4/23/2017

WAYNE S. BELL
REAL ESTATE COMMISSIONER

