

1 Bureau of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED

MAR 15 2018

BUREAU OF REAL ESTATE

By *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation Against)

No. H-04934 SD

12 RYAN LUCERO CALL,)

STIPULATION

13 Respondent.)

AND
AGREEMENT

14
15 It is hereby stipulated by and between RYAN LUCERO CALL ("Respondent"),
16 acting by and through attorney Robert E. Muir of LAW OFFICES OF ROBERT E. MUIR, and
17 the Complainant, acting by and through Amelia V. Vetrone, Counsel for the Bureau of Real
18 Estate, as follows for the purpose of settling and disposing of the Accusation filed on September
19 1, 2017, against Respondent:

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 ("Stipulation").

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

1 3. Respondent filed a Notice of Defense pursuant to Section 11506 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 he understands that by withdrawing said Notice of Defense he thereby waives
5 his right to require the Commissioner to prove the allegations in the Accusation at a contested
6 hearing held in accordance with the provisions of the APA and that he will waive other rights
7 afforded to him in connection with the hearing such as the right to present evidence in his
8 defense, and the right to cross-examine witnesses.

9 4. This Stipulation is based on the factual allegations contained in the
10 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
11 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
12 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
13 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
14 prove said factual allegations.

15 5. This Stipulation is made for the purpose of reaching an agreed disposition of
16 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
17 in which the Bureau, or another licensing agency of this state, another state, or the federal
18 government is involved, and otherwise shall not be admissible in any criminal or civil
19 proceeding.

20 6. It is understood by the parties that the Real Estate Commissioner may adopt
21 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
22 Respondent's real estate licenses and license rights as set forth in the below "Order". In the
23 event that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall
24 be void and of no effect and Respondent shall retain the right to a hearing and proceed on the
25 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
26 made herein.

27 7. The Order or any subsequent Order of the Real Estate Commissioner made

1 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
2 administrative or civil proceedings by the Bureau with respect to any matters which were not
3 specifically alleged to be causes for accusation in this proceeding.

4 8. Respondent understands that, by agreeing to this Stipulation, Respondent
5 agrees to pay, pursuant to Business and Professions Code ("Code") Section 10106, the cost of
6 the investigation of this matter in the amount of \$4,651.45.

7 DETERMINATION OF ISSUES

8 By reason of the foregoing, it is stipulated and agreed that the following
9 determination of issues shall be made:

10 The conduct, acts or omissions of RYAN LUCERO CALL, as described in
11 Paragraph 4, above, are a basis for discipline of Respondent's license and license rights as a
12 violation of the Real Estate Law, Part 1 of Division 4 of the Code, pursuant to Code Section
13 10177(g).

14 ORDER

15 WHEREFORE, THE FOLLOWING ORDER is hereby made:

16 I.

17 All licenses and licensed rights of Respondent RYAN LUCERO CALL under the
18 Real Estate Law are suspended for a period of sixty (60) days from the effective date of this
19 Decision; provided, however, that those sixty (60) days shall be stayed for two years upon the
20 following terms and conditions:

21 1. Respondent shall pay a monetary penalty pursuant to Code Section 10175.2 of
22 \$1,500.00.

23 2. Said payment shall be in the form of a cashier's check made payable to the
24 Bureau of Real Estate. Said check must be delivered to the Bureau of Real Estate, Flag Section,
25 P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and
26 Order.

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4. If Respondent fails to pay the monetary penalty in accordance with the terms
and conditions of the Decision, the suspension shall go into effect automatically. In that event,
Respondent shall not be entitled to any repayment nor credit, prorated or otherwise, for money
paid to the Bureau under the terms of this Decision and Order.

5. Respondent shall obey all laws, rules and regulations governing the rights,
duties and responsibilities of a real estate licensee in the State of California.

6. No final subsequent determination is made after hearing or upon stipulation,
that cause for disciplinary action occurred within two (2) years from the effective date of this
Decision. Should such a determination be made, the Commissioner may, in his discretion,
vacate and set aside the stay order and re-impose all or a portion of the stayed suspension.

II.

Respondent shall, within six (6) months from the effective date of this Decision
and Order herein, 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, his real estate license shall be automatically suspended until he passes the
examination.

III.


Respondent shall, within nine (9) months from the effective date of this Decision and Order, present evidence satisfactory to the Real Estate Commissioner that he has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. Evidence of continuing education submitted in connection with a real estate license renewal within nine (9) months prior to the effective date of this Decision and Order shall be deemed to satisfy this condition. If Respondent fails to satisfy this condition, then Respondent's real estate license shall be automatically suspended until he presents evidence satisfactory to the Commissioner of having taken and successfully completed the continuing education requirements. Proof of completion of the continuing education courses

1 must be delivered to the Bureau of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA
2 95813-7013.

3 IV.

4 Prior to the effective date of this Decision, and pursuant to Code Section 10106,
5 Respondent shall pay the Commissioner's reasonable cost for the investigation which led to this
6 disciplinary action in the amount of \$4,651.45. Said payment shall be in the form of a cashier's
7 check made payable to the Bureau of Real Estate. Said check must be delivered to the Bureau of
8 Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective
9 date of this Decision and Order. If Respondent fails to satisfy this condition in a timely manner
10 as provided for herein, Respondent's real estate license shall automatically be suspended until
11 payment is made in full, or until a decision providing otherwise is adopted following a hearing
12 held pursuant to this condition.

13
14 DATED: 2-16-18

15 
16 Amelia V. Vetrone, Counsel for
17 Bureau of Real Estate

18 * * *

19 EXECUTION OF THE STIPULATION

20 I have read the Stipulation. Its terms are understood by me and are agreeable and
21 acceptable to me. I understand that I am waiving rights given to me by the California
22 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and
23 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights,
24 including the right of requiring the Commissioner to prove the allegations in the Accusation at a
25 hearing at which I would have the right to cross-examine witnesses against me and to present
26 evidence in defense and mitigation of the charges.

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[illegible]

Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing this Stipulation Respondent is bound by its terms as of the date of such signature and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.



 RYAN LUCERO CALL
 Respondent

Robert E. Muir
Counsel for Respondents
Approved as to Form

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MAILING


Respondent shall mail the original signed signature page of the stipulation herein to Amelia V. Vetrone: Attention: Legal Section, Bureau of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105.

Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing this Stipulation Respondent is bound by its terms as of the date of such signature and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.

DATED: 2/15/2018


RYAN LUCERO CALL
Respondent

DATED: 2/15/18


Robert E. Muir
Counsel for Respondents
Approved as to Form

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Respondent RYAN LUCERO CALL, and shall become effective at 12 o'clock noon on

APR 04 2018

IT IS SO ORDERED 3/9/18

David J. Sand

By: DANIEL J. SANDRI
Chief Deputy Commissioner