

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

FILED

AUG 27 2021

DEPT. OF REAL ESTATE .

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of	)	No. H-05100 SD
	)	
MANALO REALTY INC,	)	<u>STIPULATION AND AGREEMENT</u>
doing business as Manalo Realty,	)	
Manalo Realty Mortgage, and	)	
M R Mortgage, and	)	
RICHARD RIZARRE MANALO,	)	
individually and as former designated	)	
officer of Manalo Realty Inc,	)	
	)	
Respondents.	)	
	)	

It is hereby stipulated by and between Respondents MANALO REALTY INC and RICHARD RIZARRE MANALO ("Respondents") and the Complainant, acting by and through Steve Chu, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on October 8, 2019, 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 Department  
3 of Real Estate in this proceeding.

4                   3.       On January 21, 2020, 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 Department with respect to any matters which were not specifically  
27 alleged to be causes for the Accusation in this proceeding.










1                   3.     All licenses, license endorsements, and license rights of Respondent  
2 RICHARD RIZARRE MANALO are indefinitely suspended unless or until Respondent  
3 RICHARD RIZARRE MANALO pays, jointly and severally with Respondent MANALO  
4 REALTY INC, the sum of \$1,948.40 for the Commissioner's reasonable cost of the  
5 investigation and enforcement which led to this disciplinary action. Said payment shall be in  
6 the form of a cashier's check made payable to the Department of Real Estate. The investigative  
7 and enforcement costs must be delivered to the Department of Real Estate, Flag Section at  
8 P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and  
9 Order.

10  
11 DATED: 7-1-2021

  
\_\_\_\_\_  
Steve Chu, Counsel  
Department of Real Estate

13 ///  
14 ///  
15 ///  
16 ///  
17 ///  
18 ///  
19 ///  
20 ///  
21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///


1 \* \* \*

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


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

9 We can signify acceptance and approval of the terms and conditions of this  
10 Stipulation and Agreement by mailing the original signed Stipulation and Agreement to:  
11 Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles,  
12 California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement  
13 or a copy faxed to (213) 576-6917 by April 28, 2021; if not, this Stipulation and Agreement is  
14 invalid and void because the sum for the Commissioner's reasonable cost of the investigation  
15 and enforcement which led to this disciplinary action will increase.

16  
17 DATED: June 16, 2021

18   
19 MANALO REALTY INC  
20 Respondent  
21 By Alfonso Lopez,  
22 as designated officer of  
23 Manalo Realty Inc

24  
25 DATED: 6/15/21

26   
27 RICHARD RIZARRE MANALO  
Respondent

24 ///

25 ///

26 ///

27 ///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted by me as my  
Decision in this matter as to Respondents MANALO REALTY INC and RICHARD RIZARRE  
MANALO, and shall become effective at 12 o'clock noon on 9/15/2021.

IT IS SO ORDERED 8.12.21

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

DOUGLAS R. McCAULEY