

1 BUREAU OF REAL ESTATE  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8670

**FILED**

JUN 24 2014

BUREAU OF REAL ESTATE

By Choume

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9 BEFORE THE BUREAU OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of )  
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PLT PROPERTY MANAGEMENT,  
PRESTON LEE TROTTER, JR. and  
RAMESHWAR PRASAD,  
Respondents.

NO. H-5860 SAC

STIPULATION AND AGREEMENT  
IN SETTLEMENT AND ORDER

(As to Rameshwar Prasad only)

18 It is hereby stipulated by and between Respondent RAMESHWAR PRASAD  
19 ("Respondent"), acting by and through Rizza Gonzales, Counsel for Respondent, and the  
20 Complainant, acting by and through John W. Barron, Counsel for the Bureau of Real Estate ("the  
21 Bureau"), as follows for the purpose of settling and disposing of the Accusation filed on August  
22 9, 2012, in this matter:

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

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

3                   3. A Notice of Defense was filed on August 30, 2012, by Respondent, pursuant  
4 to Section 11505 of the Government Code for the purpose of requesting a hearing on the  
5 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice  
6 of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of  
7 Defense, he will thereby waive his right to require the Real Estate Commissioner  
8 ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in  
9 accordance with the provisions of the APA and that he will waive other rights afforded to him  
10 in connection with the hearing such as the right to present evidence in defense of the  
11 allegations in the Accusation and the right to cross-examine witnesses.

12                   4. This Stipulation and Agreement in Settlement and Order is based on the  
13 factual allegations contained in the Accusation. In the interests of expedience and economy,  
14 Respondent chooses not to contest these allegations at hearing, but rather understands that, as a  
15 result thereof, these allegations, without being admitted or denied, will serve as a prima facie  
16 basis for the disciplinary action stipulated to herein. The Commissioner shall not be required  
17 to provide further evidence to prove said factual allegations.

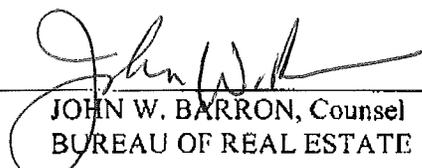
18                   5. This Stipulation and Respondent's decision not to contest the Accusation are  
19 made for the purpose of reaching an agreed disposition of this proceeding and are expressly  
20 limited to this proceeding and any other proceeding or case in which the Bureau, the state or  
21 federal government, an agency of this state, or an agency of another state is involved.

22                   6. It is understood by the parties that the Commissioner may adopt the  
23 Stipulation and Agreement in Settlement and Order as his decision in this matter thereby  
24 imposing the penalty and sanctions on Respondent's real estate license and license rights as set  
25 forth in the below "Order". In the event that the Commissioner in his discretion does not adopt  
26 the Stipulation and Agreement in Settlement and Order, it shall be void and of no effect, and  
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1 to the Commissioner that he has taken and successfully completed the continuing education  
2 course on Trust Fund Accounting and Handling specified in Section 10170.5(a)(3) of the Code.  
3 The course must have been completed no earlier than one hundred twenty (120) days prior to  
4 the effective date of this Order, and proof must be submitted prior to the effective date of this  
5 Order, to prevent suspension of Respondent's license pursuant to this condition.

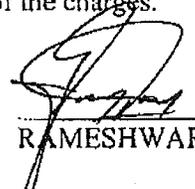
6  
7 5/27/14  
8 DATED

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10   
11 JOHN W. BARRON, Counsel  
12 BUREAU OF REAL ESTATE

13 \* \* \*

14 I have read the Stipulation and Agreement in Settlement and Order and its terms  
15 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
16 rights given to me by the California APA (including but not limited to Sections 11506, 11508,  
17 11509 and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive  
18 those rights, including the right of requiring the Commissioner to prove the allegations in the  
19 Accusation at a hearing at which I would have the right to cross-examine witnesses against me  
20 and to present evidence in defense and mitigation of the charges.

21  
22 5/27/2014  
23 DATED

24   
25 RAMESHWAR PRASAD, Respondent

26 \* \* \*

27 I have reviewed this Stipulation and Agreement and Order as to form and  
content and have advised my client accordingly.

28  
29 5/27/14  
30 DATED

31   
32 MARISOL OCAMPO, Esq.  
33 Attorney for Respondent

\* \* \*

The foregoing Stipulation and Agreement in Settlement and Order is hereby  
adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on

JUL 14 2014

JUN 20 2014

IT IS SO ORDERED \_\_\_\_\_

REAL ESTATE COMMISSIONER

By: JEFFREY MASON  
Chief Deputy Commissioner

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