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MAR 20 2015

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

LORI A. SLADE,

Respondent.

No. H-6013 SAC

STIPULATION AND
AGREEMENT IN
SETTLEMENT AND ORDER

It is hereby stipulated by and between LORI A. SLADE (Respondent), her counsel, Mary Work, and the Complainant, acting by and through Richard K. Uno, Counsel for the Bureau of Real Estate as follows for the purpose of settling and disposing of the Accusation filed on August 29, 2013, 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 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 In Settlement and Order.

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

1 3. On or about September 5, 2013, Respondent filed a Notice of Defense
2 pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on
3 the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said
4 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said
5 Notice of Defense she will thereby waive her right to require the Commissioner to prove the
6 allegations in the Accusation at a contested hearing held in accordance with the provisions of the
7 APA and that she will waive other rights afforded to her in connection with the hearing such as
8 the right to present evidence in defense of the allegations in the Accusation and the right to cross-
9 examine witnesses.

10 4. This Stipulation and Agreement is based on the factual allegations
11 contained in the Accusation. In the interest of expediency and economy, Respondent choses not
12 to contest these factual allegations, but to remain silent and understands that, as a result thereof,
13 these factual statements will serve as a prima facie basis for the "Determination of Issues" and
14 "Order" set forth below. The Real Estate Commissioner shall not be required to provide further
15 evidence to prove such allegations.

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

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

1 7. Respondent understands that by agreeing to this Stipulation and
2 Agreement, Respondent agrees to pay, pursuant to Section 10148 of the Business and
3 Professions Code (Code), the cost of the audit which led to this disciplinary action. The
4 amount of said cost is \$6,622.10.

5 8. Respondent has received, read and understands the "Notice Concerning
6 Costs of Subsequent Audits". Respondent understands that by agreeing to this Stipulation and
7 Agreement, the findings set forth below in the "Determination of Issues" become final, and that
8 the Commissioner may charge Respondent for the cost of any audit conducted pursuant to
9 Section 10148 of the Code to determine if the violations have been corrected. The maximum
10 cost of said audit will not exceed \$6,622.10.

11 DETERMINATION OF ISSUES

12 By reason of the foregoing stipulations, admissions and waivers, and solely for
13 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed
14 that the acts and/or omissions of Respondent, as described in the Accusation, constitute grounds
15 for the suspension or revocation of the licenses and license rights of Respondent under the
16 provisions of Section 10177(g) of the Code.

17 ORDER

18 All licenses and licensing rights of Respondent under the Real Estate Law are
19 suspended for a period of Sixty (60) days from the effective date of this Order; provided,
20 however, that:

21 1. Thirty (30) days of said suspension shall be stayed, upon the following
22 terms and conditions:

23 a. Respondent shall obey all laws, rules and regulations governing
24 Rights, duties and responsibilities of a real estate licensee in the State of California; and,
25 b. That no final subsequent determination be made, after hearing
26 or upon stipulation, that cause for disciplinary action occurred within two (2) years from the
27 effective date of this Order. Should such a determination be made, the Commissioner may, in his

1 discretion, vacate and set aside the stay order and re-impose all or a portion of the stayed
2 suspension. Should no such determination be made, the stay imposed herein shall become
3 permanent.

4 2. Thirty (30) days of said suspension shall be stayed, upon the condition that
5 Respondent petitions pursuant to Section 10175.2 of the Code at a rate of \$100.00 for each day of
6 the suspension for a total monetary penalty of \$3,000.00.

7 a. Said payment shall be in the form of a cashier's check or certified
8 check made payable to the Bureau of Real Estate. Said check must be delivered to the Bureau of
9 Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the
10 effective date of the Decision in this matter.

11 b. No further cause for disciplinary action against the real estate license
12 of Respondent occurs within two (2) years from the effective date of the decision in this matter.

13 c. If Respondent fails to pay the monetary penalty in accordance with the
14 Terms and conditions of the Decision, the Commissioner may, without a hearing, order the
15 immediate execution of all or any part of the stayed suspension, in which event, Respondent shall
16 not be entitled to any repayment nor credit, prorated or otherwise, for money paid to the Bureau
17 under the terms of this decision.

18 d. If Respondent pays the monetary penalty, and if no further cause for
19 Disciplinary action against the real estate license of Respondent occurs within two (2) years from
20 the effective date of the Decision herein, then the stay hereby granted shall become permanent.

21 3. Pursuant to Section 10148 of the Code, Respondent shall pay the sum of
22 \$6,622.10 for the Commissioner's cost of the audit which led to this disciplinary action.
23 Respondent shall pay such cost within sixty (60) days of receiving an invoice therefore from the
24 Commissioner. Payment of audit costs should not be made until Respondent receives the
25 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,
26 Respondent's real estate license shall automatically be suspended until payment is made in full,
27

1 or until a decision providing otherwise is adopted following a hearing held pursuant to this
2 condition.

3 Pursuant to Section 10148 of the Code, Respondent shall pay the Commissioner's
4 reasonable cost, not to exceed \$6,622.10, for an audit to determine if Respondent has corrected
5 the violation(s) found in the Determination of Issues. In calculating the amount of the
6 Commissioner's reasonable cost, the Commissioner may use the estimated average hourly salary
7 for all persons performing audits of real estate brokers, and shall include an allocation for travel
8 time to and from the auditor's place of work. Respondent shall pay such cost within sixty (60)
9 days of receiving an invoice therefore from the Commissioner. Payment of the audit costs should
10 not be made until Respondent receives the invoice. If Respondent fails to satisfy this condition
11 in a timely manner as provided for herein, Respondent's real estate license shall automatically be
12 suspended until payment is made in full, or until a decision providing otherwise is adopted
13 following a hearing held pursuant to this condition.

14 3/11/15

15 DATED

14 Richard K. Uno

15 RICHARD K. UNO, Counsel III
16 BUREAU OF REAL ESTATE

17 * * *

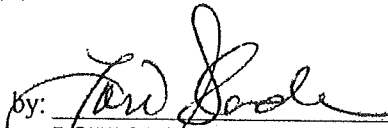
18 I have read the Stipulation and Agreement in Settlement and Order and its terms
19 are understood by me and are agreeable and acceptable to me. I understand that I am waiving
20 rights given to me by the California Administrative Procedure Act (including but not limited
21 to Sections 11506, 11508,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

3 * * *

4
5 3/10/2015

6 DATED

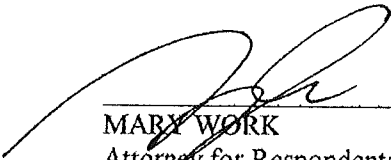
by: 
LORI SLADE

7 * * *

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

10 3/10/2015

11 DATED


MARY WORK

Attorney for Respondents

13 The foregoing Stipulation and Agreement In Settlement and Order is hereby
14 adopted by the Real Estate Commissioner as his Decision and Order and shall become effective
15 at 12 o'clock noon on APR 10 2015

16 IT IS SO ORDERED MARCH 19, 2015

18 REAL ESTATE COMMISSIONER

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20 

21 By: JEFFREY MASON
22 Chief Deputy Commissioner