

1 Bureau of Real Estate
2 P.O. Box 137007
3 Sacramento, CA 95818-7007
4
5 Telephone: (916) 263-8672
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FILED

JAN 10 2013
BUREAU OF REAL ESTATE
By B. Nicholas

8 **BEFORE THE BUREAU OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of
12 UNITED MUTUAL, INC. and
13 QAIS MAQDOOR,
14 Respondents.

No. H-6594 SAC
STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

15 It is hereby stipulated by and between UNITED MUTUAL, INC. (UMI), and
16 QAIS MAQDOOR (MAQDOOR), collectively Respondents, represented by David Burgren,
17 and the Complainant, acting by and through Megan Lee Olsen, Counsel for the Bureau of
18 Real Estate (Bureau), as follows for the purpose of settling and disposing of the Accusation
19 filed on November 7, 2017, in this matter:

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

25 2. Respondents have received, read, and understands the Statement to
26 Respondent, the Discovery Provisions of the APA and the Accusation filed by the Bureau in
27 this proceeding.

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3. On or about November 21, 2017, Respondents filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents acknowledges that Respondents will thereby waive Respondents' right to require the Real Estate Commissioner (Commissioner) to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondents will waive other rights afforded to Respondents in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

4. This Stipulation is based on the factual allegations contained in the Accusation. Respondents, pursuant to the limitations set forth below, hereby admit that the factual allegations in the Accusation filed in this proceeding are true and correct and the Commissioner shall not be required to provide further evidence to prove such allegations.

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

6. This Decision and Order or any subsequent Order of the Commissioner made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Bureau with respect to any matters which were not specifically alleged in Accusation No. H-6594 SAC.

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1 DETERMINATION OF ISSUES

2 UNITED MUTUAL, INC. and QAIS MAQDOOR

3 By reason of the foregoing stipulations, admissions and waivers, and solely for
4 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed
5 that the acts and/or omissions of Respondents, as described in the Accusation, constitute grounds
6 for the suspension or revocation of the licenses and license rights of Respondents under the
7 provisions of Sections 10166.051 (a), 10177(d) and (g) of the Code.

8 QAIS MAQDOOR

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

15 ORDER

16 All licenses and licensing rights of UNITED MUTUAL, INC. and QAIS
17 MAQDOOR, under the Real Estate Law are publicly reprovod.

18 12/20/2017
19 DATED


MEGAN LEE OLSEN, Counsel
BUREAU OF REAL ESTATE

20 * * *

21 I have read the Stipulation and Agreement and its terms are understood by me and
22 are agreeable and acceptable to me. I understand that I am waiving rights given to me by
23 the APA (including but not limited to Sections 11506, 11508, 11509, and 11513 of the
24 Government Code), and I willingly, intelligently, and voluntarily waive those rights,
25 including the right of requiring the Commissioner to prove the allegations in the

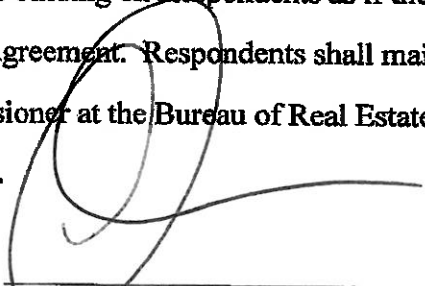
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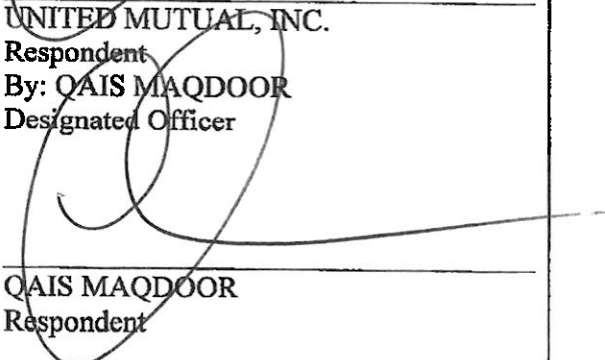
1 Accusation at a hearing at which I would have the right to cross-examine witnesses against
2 me and to present evidence in defense and mitigation of the charges.

3 Respondents may signify acceptance and approval of the terms and
4 conditions of this Stipulation and Agreement by faxing a copy of the signature page, as
5 actually signed by Respondents, to the Bureau at fax number (916) 263-3767. Respondents
6 agree, acknowledge, and understand that by electronically sending to the Bureau a fax copy
7 of Respondents' actual signature as it appears on the Stipulation and Agreement, that
8 receipt of the faxed copy by the Bureau shall be as binding on Respondents as if the Bureau
9 had received the original signed Stipulation and Agreement. Respondents shall mail the
10 signed Stipulation and Agreement to the Commissioner at the Bureau of Real Estate, Post
11 Office Box 137000, Sacramento, CA 95813-7000.

12
13 12/18/17
DATED


UNITED MUTUAL, INC.
Respondent
By: QAIS MAQDOOR
Designated Officer

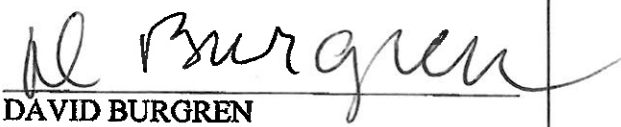
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15
16
17 12/18/17
DATED


QAIS MAQDOOR
Respondent

20 ***

21 *I have reviewed the Stipulation and Agreement as to form and content and have*
22 *advised my clients accordingly.*

23
24 12/18/17
DATED


DAVID BURGREN
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on
JAN 31 2018

IT IS SO ORDERED

1/5/18

WAYNE S. BELL
Real Estate Commissioner



By: DANIEL J. SANDRI
Chief Deputy Commissioner