

1 Department of Real Estate  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 576-8700  
5  
6  
7

**FILED**

**JAN 24 2022**

DEPARTMENT OF REAL ESTATE  
By L. Knapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 Re the Citation and Fine of:

12 MICHAEL JAMES COLO, and  
13 ELIZABETH ANN COLO,  
14 Respondents.

) Case No. H-7053 SAC  
) Citation No. C-4-21-0607-001  
) Citation No. C-4-21-0607-002  
)  
)  
)

15 DISMISSAL

16 Respondents MICHAEL JAMES COLO and ELIZABETH ANN COLO  
17 ("Respondents"), and the Real Estate Commissioner ("Commissioner"), acting by and through  
18 their respective counsel, entered into a Stipulation and Agreement and Settlement and Order  
19 ("Stipulation and Agreement") in Department of Real Estate ("Department") Case No. H-7036  
20 SAC. Additionally, Respondent MICHAEL JAMES COLO, and the Commissioner, acting by  
21 and through their respective counsel, entered into a Stipulation and Waiver in Department Case  
22 No. H-7035 SAC.

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26 ///

1           Upon the full and complete execution by all parties of the Stipulation and Agreement in  
2 Department Case No. H-7036 SAC and the Stipulation and Waiver in Department Case No. 7035  
3 SAC, Citation Nos. C-4-21-0607-001 and C-4-21-0607-002 issued to Respondents are hereby  
4 DISMISSED.

5                   IT IS SO ORDERED 1.18.22

6  
7                   REAL ESTATE COMMISSIONER

8  
9                   Douglas R. McCauley  
                  DOUGLAS R. McCAULEY

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**JAN 24 2022**

DEPARTMENT OF REAL ESTATE  
By X. Krupp

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

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10 Re the Order to Desist and Refrain of:

11 **THE COLO GROUP,**  
12 **MICHAEL JAMES COLO,**  
13 **ELIZABETH ANN COLO, and**  
14 **COLE WILDENHUS,**

Respondents.

No. H-7053 SAC

**STIPULATION AND AGREEMENT**

15 It is hereby stipulated by and between THE COLO GROUP, MICHAEL JAMES  
16 COLO, and ELIZABETH ANN COLO (Respondents) and their attorney, Seth Weinstein, and the  
17 Complainant, acting by and through Jason D. Lazark, Counsel for the Department of Real Estate  
18 ("Department"), as follows for the purpose of settling and disposing the Order to Desist and  
19 Refrain (D&R) filed on July 30, 2021 in this matter:


20 1. Respondents filed Notices for the purpose of requesting a hearing on the  
21 allegations in the D&R. Respondents hereby freely and voluntarily withdraw said Notices upon  
22 the condition that the Stipulation and Agreement entered into in DRE case H-7036 SAC, and the  
23 Stipulation and Waiver entered into in DRE case H-7035 SAC, attached and incorporated by this  
24 reference, are adopted by the Commissioner. Respondents acknowledge that they understand  
25 that by withdrawing said Notice they will thereby waive their rights to require the Commissioner  
26 to prove the allegations in the D&R at a contested hearing held in accordance with the provisions  
27 of the APA, and that they will waive other rights afforded to them in connection with the hearing

1 || such as the right to present evidence in defense of the allegations in the D&R and the right to  
2 || cross-examine witnesses.

3 ||           2.     In the event that the Commissioner in his discretion does not adopt the  
4 || Stipulation and Agreement entered into in Department Case No. H-7036 SAC. and the  
5 || Stipulation and Waiver entered into in Department Case H-7035 SAC. this Stipulation and  
6 || Agreement shall be void and of no effect. and Respondents shall retain the right to a hearing and  
7 || proceeding on the D&R under all the provisions of the APA and shall not be bound by any  
8 || admission or waiver made herein.

9 ||           12/2/2021

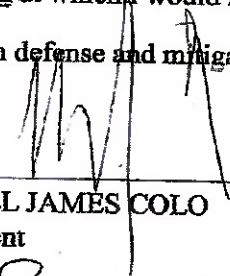
10 ||           DATED

11 ||             
12 ||           JASON D. LAZARK  
13 ||           Counsel for Complainant

14 ||           I have read the Stipulation and Agreement, discussed it with my counsel, and its  
15 || terms are understood by me and are agreeable and acceptable to me. I understand that I am  
16 || waiving rights given to me by the California Administrative Procedure Act. and I willingly,  
17 || intelligently and voluntarily waive those rights, including the right of requiring the  
18 || Commissioner to prove the allegations in the D&R at a hearing at which I would have the right to  
19 || cross-examine witnesses against me and to present evidence in defense and mitigation of the  
20 || charges.

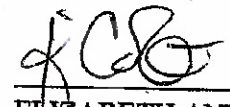
21 ||           11/29/21

22 ||           DATED

23 ||             
24 ||           MICHAEL JAMES COLO  
25 ||           Respondent

26 ||           Nov. 29. 21

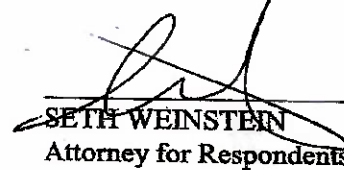
27 ||           DATED

28 ||             
29 ||           ELIZABETH ANN COLO  
30 ||           Respondent

31 ||           I have reviewed the Stipulation and Agreement as to form and content and have  
32 || advised my client accordingly.

33 ||           12-01-2021

34 ||           DATED

35 ||             
36 ||           SETH WEINSTEIN  
37 ||           Attorney for Respondents