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BUREAU OF REAL ESTATE
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BUREAU OF REAL ESTATE
By *L. Jones*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
MELISSA MARIA ECHEVERRIA,)
)
)
Respondent.)

BRE No. H-11339 SF

STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

It is hereby stipulated by and between MELISSA MARIA ECHEVERRIA
(Respondent), her counsel, Frank Buda, 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 March 6, 2012, 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 First Amended 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

1 Estate in this proceeding.

2 3. On or about March 9, 2012, Respondent filed a Notice of Defense
3 pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on
4 the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said
5 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said
6 Notice of Defense, she will thereby waive her right to require the Commissioner to prove the
7 allegations in the Accusation at a contested hearing held in accordance with the provisions of the
8 APA and that she will waive other rights afforded to her in connection with the hearing such as
9 the right to present evidence in defense of the allegations in the Accusation and the right to cross-
10 examine witnesses.

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

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

25 6. The Order or any subsequent Order of the Real Estate Commissioner made
26 pursuant to this Stipulation and Agreement In Settlement and Order shall not constitute an
27 estoppel, merger or bar to any further administrative or civil proceedings by the Bureau of

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2. If Respondent pays the costs of the investigation and enforcement, and if
no further cause for discipline against the real estate license of Respondent occurs within two
(2) years from the effective date of the Decision, the stay hereby granted shall become
permanent.

3. If Respondent fails to pay the costs of the investigation and enforcement
in accordance with the terms and conditions of the Decision, the suspension shall go into effect
automatically and remain in effect until Respondent pays the costs of the investigation and
enforcement penalty in full.

2/19/14
DATED

Richard K Uno
RICHARD K. UNO, Counsel III
BUREAU OF REAL ESTATE

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


2-12-14
DATED

by Melissa Maria Echeverria
MELISSA MARIA ECHEVERRIA

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

2-12-14



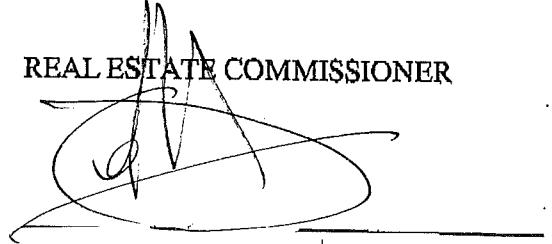
DATED

FRANK M. BUDA
Attorney for Respondent

The foregoing Stipulation and Agreement In Settlement and Order is hereby
adopted by the Real Estate Commissioner as his Decision and Order and shall become effective
at 12 o'clock noon on APR 29 2014

IT IS SO ORDERED APR 08 2014

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner