

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

FEB 13 2018

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

No. H-12098 SF

12 HALO FINANCIAL INC.,
13 PETER STEPHAN HALO, and
14 STEPHANIE ANN HALO,

Respondents.

STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

16 It is hereby stipulated by and between PETER STEPHAN HALO (P HALO)
17 and STEPHANIE ANN HALO (S HALO), collectively Respondents, represented by Philip
18 Cozens, and the Complainant, acting by and through Megan Lee Olsen, Counsel for the
19 Bureau of Real Estate (Bureau), as follows for the purpose of settling and disposing of the
20 Accusation filed on June 13, 2017, in this matter:

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

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

4 3. On or about July 9, 2017, Respondents filed a Notice of Defense
5 pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing
6 on the allegations in the Accusation. Respondents hereby freely and voluntarily withdraw
7 said Notice of Defense. Respondents acknowledge that Respondents will thereby waive
8 Respondents' right to require the Real Estate Commissioner (Commissioner) to prove the
9 allegations in the Accusation at a contested hearing held in accordance with the provisions of
10 the APA and that Respondents will waive other rights afforded to Respondents in connection
11 with the hearing such as the right to present evidence in defense of the allegations in the
12 Accusation and the right to cross-examine witnesses.

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

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

24 6. This Decision and Order or any subsequent Order of the Commissioner
25 made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or
26 bar to any further administrative or civil proceedings by the Bureau with respect to any
27 matters which were not specifically alleged in Accusation No. H-12098 SF.

1 7. Respondents understand that by agreeing to this Order, Respondents
2 agree to pay, pursuant to Section 10106 of the Business and Professions Code (Code), the
3 cost of the investigation and enforcement which resulted in the determination that
4 Respondents committed the violations found in the Determination of Issues. The amount of
5 said costs is \$2,144.50.

6 DETERMINATION OF ISSUES

7 By reason of the foregoing stipulations, admissions and waivers, and solely for
8 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed
9 that the acts and/or omissions of Respondents, as described in the Accusation, constitute grounds
10 for the suspension or revocation of the licenses and license rights of Respondents under the
11 provisions of Sections 10162, 10177(d), 10177 (g) and (h) of the Code.

12 ORDER

13 PETER STEPHAN HALO

14 All licenses and licensing rights of P HALO under the Real Estate Law are
15 revoked; provided, however, a restricted real estate broker license shall be issued to P HALO
16 pursuant to Section 10156.5 of the Code if P HALO makes application therefore and pays to
17 the Bureau the appropriate fee for the restricted license within 90 days from the effective
18 date of this Decision and Order. The restricted license issued to P HALO shall be subject to
19 all of the provisions of Section 10156.7 of the Code and to the following limitations,
20 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

21 1. The restricted license issued to P HALO may be suspended prior to
22 hearing by Order of the Commissioner in the event of P HALO's conviction or plea of nolo
23 contendere to a crime which is substantially related to P HALO's fitness or capacity as a real
24 estate licensee.

25 2. The restricted license issued to P HALO may be suspended prior to
26 hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that

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1 P HALO has violated provisions of the California Real Estate Law, the Subdivided Lands
2 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted
3 license.

4 3. P HALO shall not be eligible to apply for the issuance of any
5 unrestricted license nor the removal of any of the conditions, limitations or restrictions of a
6 restricted license until two (2) years have elapsed from the effective date of this Order. P
7 HALO shall not be eligible to apply for any unrestricted licenses until all restrictions
8 attaching to the license have been removed.

9 4. P HALO shall, within nine (9) months from the effective date of this
10 Decision and Order, present evidence satisfactory to the Commissioner that P HALO has,
11 since the most recent issuance of an original or renewal real estate license, taken and
12 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of
13 the Real Estate Law for renewal of a real estate license. If P HALO fails to satisfy this
14 condition, P HALO's real estate license shall automatically be suspended until P HALO
15 presents evidence satisfactory to the Commissioner of having taken and successfully
16 completed the continuing education requirement.

17 5. P HALO shall, within six (6) months from the effective date of this
18 Order, take and pass the Professional Responsibility Examination administered by the
19 Bureau including the payment of the appropriate examination fee. If P HALO fails to satisfy
20 this condition, P HALO's real estate license shall automatically be suspended until P HANO
21 passes the examination.

22 6. P HALO shall notify the Commissioner in writing within 72 hours of
23 any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post
24 Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of P
25 HALO's arrest, the crime for which P HALO was arrested and the name and address of the
26 arresting law enforcement agency. P HALO's failure to timely file written notice shall

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1 constitute an independent violation of the terms of the restricted license and shall be grounds
2 for the suspension or revocation of that license.

3 7. All licenses and licensing rights of P HALO are indefinitely suspended
4 unless or until P HALO notifies the Bureau, by filing a Broker Change Application, of a
5 definite place of business in the State of California that serves as his office for the transaction
6 of business as required by Section 10162 of the Code.

7 STEPHANIE ANN HALO

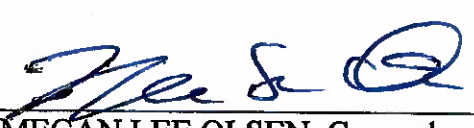
8 8. All licenses and licensing rights of S HALO, under the Real Estate Law
9 are suspended for a period of sixty (60 days) from the effective date of this Order.

10 9. S HALO shall, within six (6) months from the effective date of this
11 Order, take and pass the Professional Responsibility Examination administered by the
12 Bureau including the payment of the appropriate examination fee. If S HALO fails to satisfy
13 this condition, S HALO's real estate license shall automatically be suspended until S HALO
14 passes the examination.

15 PETER STEPHAN HALO and STEPHANIE ANN HALO

16 10. All licenses and licensing rights of Respondents are indefinitely suspended
17 unless or until Respondents, jointly and severally, pay the sum of \$2,144.50 for the
18 Commissioner's reasonable cost of the investigation and enforcement which led to this
19 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
20 Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to
21 the effective date of this Stipulation.

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23
24 11/14/2017
25 DATED

26 
27 MEGAN LEE OLSEN, Counsel
BUREAU OF REAL ESTATE

* * *

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

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

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19 11/14/2017
20 DATED

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PETER STEPHAN HALO
Respondent

11/14/2017
DATED

STEPHANIE ANN HALO
Respondent

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

3 11/14/17
4 /
5 DATED


 PHILIP COZENS
 Attorney for Respondent

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8 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
9 Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on
10 **MAR 06 2018**

11 IT IS SO ORDERED

2/12/18

12 WAYNE S. BELL
13 REAL ESTATE COMMISSIONER

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16 By: DANIEL J. SANDRI
17 Chief Deputy Commissioner