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FILED

AUG 08 2019

DEPARTMENT OF REAL ESTATE

By X. Hoang

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of:

MARTIN HERTZ ASSOCIATES INC.,

Respondent.

DRE No. H-12300 SF

ORDER ACCEPTING STIPULATION AND AGREEMENT TO SURRENDER

On October 23, 2018, an Accusation was filed in this matter against Respondent
MARTIN HERTZ ASSOCIATES INC. ("Respondent").

On June 6, 2019, Respondent petitioned the Commissioner to voluntarily surrender
its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MARTIN HERTZ ASSOCIATES
INC.'s petition for voluntary surrender of its real estate broker license is accepted as of the
effective date of this Order as set forth below, based upon the understanding and agreement
expressed in Respondent's Stipulation and Agreement to Surrender dated June 6, 2019 (attached as
Exhibit "A" hereto). Respondent's license certificate and pocket card shall be sent to the below-
listed address so that they reach the Department of Real Estate on or before the effective date of
this Order:

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DEPARTMENT OF REAL ESTATE
Attention: Licensing Flag Section
P. O. Box 137013
Sacramento, CA 95813-7013

AUG 29 2019

This Order shall become effective at 12 o'clock noon on _____.

DATED: August 6, 2019

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER

Daniel J. Sandri

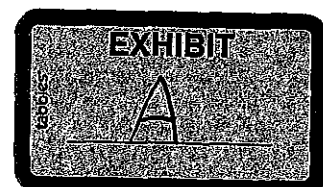
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6 BEFORE THE
7 DEPARTMENT OF REAL ESTATE
8 STATE OF CALIFORNIA
9

10 In the Matter of the Accusation of:)
11 MARTIN HERTZ ASSOCIATES INC.,) No. H-12300 SF
12 Respondent.) STIPULATION AND
13) AGREEMENT TO SURRENDER

14 On October 3, 2018, the Department of Real Estate ("Department") filed an
15 Accusation against MARTIN HERTZ ASSOCIATES, INC. and MARTIN HERTZ. On
16 January 14, 2019, the Real Estate Commissioner dismissed MARTIN HERTZ after learning
17 that MARTIN HERTZ was deceased.

18 In lieu of proceeding in this matter in accordance with the provisions of the
19 Administrative Procedure Act (sections 11400 et seq., of the Government Code), MARTIN
20 HERTZ ASSOCIATES, INC. wishes to voluntarily surrender its real estate license(s) issued by
21 the Department pursuant to Business and Professions Code section 10100.2.

22 MARTIN HERTZ ASSOCIATES, INC. understands that by voluntarily
23 surrendering its license(s), MARTIN HERTZ ASSOCIATES, INC. may be re-licensed as a
24 corporate real estate broker only by petitioning for reinstatement pursuant to section 11522 of
25 the Government Code. MARTIN HERTZ ASSOCIATES, INC. also understands that by
26 voluntarily surrendering its license(s), MARTIN HERTZ ASSOCIATES, INC. agrees to the
27 following:



DECLARATION OF CYNTHIA LEE HERTZ
ON BEHALF OF MARTIN HERTZ ASSOCIATES, INC.

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3 1. I am currently the Chief Executive Officer of MARTIN HERTZ
4 ASSOCIATES, INC. and I am authorized to sign this Declaration on behalf of MARTIN
5 HERTZ ASSOCIATES, INC., and legally bind MARTIN HERTZ ASSOCIATES INC. to this
6 Stipulation and Agreement to Surrender.

7 2. MARTIN HERTZ ASSOCIATES, INC. is currently licensed as a real estate
8 broker, License No. 00808856.

9 3. The filing of this Declaration shall be deemed the petition by MARTIN
10 HERTZ ASSOCIATES, INC. to voluntary surrender its corporate real estate broker license.

11 4. The filing of this Declaration shall be deemed to be an understanding and
12 agreement by MARTIN HERTZ ASSOCIATES, INC. that MARTIN HERTZ ASSOCIATES,
13 INC. waives all rights it has to require the Commissioner to prove the allegations contained in
14 the Accusation filed by the Department on October 23, 2018, in Department of Real Estate
15 ("Department") Case No. H-12300 SF, at a hearing held in accordance with the provisions of
16 the Administrative Procedure Act (Government Code sections 11400 et seq.)

17 5. MARTIN HERTZ ASSOCIATES INC. also agrees to waive other rights
18 afforded to MARTIN HERTZ ASSOCIATES, INC. in connection with the hearing such as the
19 right to discovery, the right to present evidence in defense of the allegations in the Accusation,
20 and the right to cross-examine witnesses.

21 6. MARTIN HERTZ ASSOCIATES INC. further agrees that upon acceptance
22 by the Commissioner, as evidenced by an appropriate order, all affidavits and all relevant
23 evidence obtained by the Department in this matter prior to the Commissioner's acceptance,
24 and all allegations contained in the Accusation filed in Department Case No. H-12300 SF, may
25 be considered by the Department to be true and correct for the purpose of deciding whether to
26 grant re-licensure or reinstatement pursuant to Government Code section 11522.

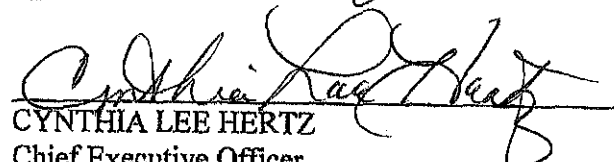
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1 7. MARTIN HERTZ ASSOCIATES INC. further understands and agrees that
2 prior to and as a condition of any petition for reinstatement made pursuant to Government
3 Code section 11522 being granted, MARTIN HERTZ ASSOCIATES INC. agrees to pay the
4 Commissioner's reasonable cost of the investigation, enforcement and audit which led to the
5 disciplinary action in Department Case No. H-12300 SF. The amount of said costs are
6 \$9,477.38.

7 8. MARTIN HERTZ ASSOCIATES INC. freely and voluntarily surrenders all
8 of its licenses and license rights under the Real Estate Law.

9 I declares under penalty of perjury under the laws of the State of California that
10 the above is true and correct and that this declaration was executed on June 6
11 2019, at 1425 Leimert Blvd #201 Oakland California.
12 (City)

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14 CYNTHIA LEE HERTZ
15 Chief Executive Officer,
16 MARTIN HERTZ ASSOCIATES INC.
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