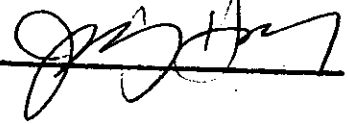


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FILED
JUN 20 2002
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-27577 LA
SANDRA LOTUS LAEMMLE,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On December 8, 1998, a Decision was rendered herein
revoking the real estate broker license of Respondent, but
granting Respondent the right to the issuance of a restricted
real estate broker license. A restricted real estate broker
license was issued to Respondent or about March 10, 1999, and
Respondent has operated as a restricted licensee without cause
for disciplinary action against Respondent since that time.

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1 On March 6, 2001, Respondent petitioned for
2 reinstatement of said real estate broker license and the
3 Attorney General of the State of California has been given
4 notice of the filing of said petition.
5

6 I have considered the petition of Respondent and
7 the evidence and arguments in support thereof including
8 Respondent's record as a restricted licensee. Respondent
9 has demonstrated to my satisfaction that Respondent meets
10 the requirements of law for the issuance to Respondent of
11 an unrestricted real estate broker license and that it would
12 not be against the public interest to issue said license to
13 Respondent SANDRA LOTUS LAEMMLE.

14 NOW, THEREFORE, IT IS ORDERED that Respondent's
15 petition for reinstatement is granted and that a real estate
16 broker license be issued to Respondent if Respondent satisfies
17 the following conditions within nine (9) months from the date
18 of this Order:

19 1. Submittal of a completed application and payment
20 of the fee for a real estate broker license.

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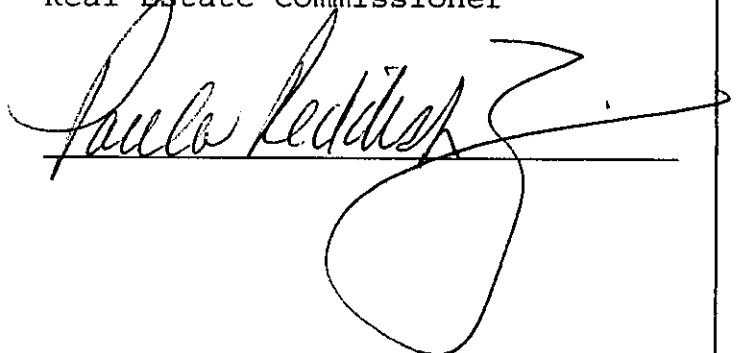
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2 2. Submittal of evidence of having, since the most
3 recent issuance of an original or renewal real estate license,
4 taken and successfully completed the continuing education
5 requirements of Article 2.5 of Chapter 3 of the Real Estate
6 Law for renewal of a real estate license.

7 This Order shall become effective immediately.

8 DATED: June 18, 2002.

9 PAULA REDDISH ZINNEMANN
10 Real Estate Commissioner

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24 cc: Sandra Lotus Laemmle
25 101 South Poinsettia Place
26 Los Angeles, CA 90036

27 2624 W. Magnolia Blvd.
Burbank, CA 91505

1 2. Respondent has received, read and understands the
2 Statement to Respondent, the Discovery Provisions of the APA and
3 the Accusation filed by the Department of Real Estate in this
4 proceeding.

5 3. On May 14, 1998, Respondent filed a Notice of
6 Defense, pursuant to Section 11506 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 said Notice of Defense. Respondent acknowledges that she
10 understands that by withdrawing said Notice of Defense she will
11 thereby waive her right to require the Commissioner to prove the
12 allegations in the Accusation at a contested hearing held in
13 accordance with the provisions of the APA and that she will waive
14 other rights afforded to her in connection with the hearing, such
15 as the right to present evidence in defense of the allegations in
16 the Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, although not admitting or denying the truth of the
19 allegations, will not contest the factual allegations contained in
20 the Accusation filed in this proceeding and the Real Estate
21 Commissioner shall not be required to provide further evidence of
22 such allegations.

23 5. It is understood by the parties that the Real Estate
24 Commissioner may adopt the Stipulation and Agreement as his
25 decision in this matter thereby imposing the penalty and sanctions
26 on Respondent's real estate license and license rights as set
27 forth below in the "Order". In the event that the Commissioner in



1 his discretion does not adopt the Stipulation and Agreement in
2 Settlement, it shall be void and of no effect, and Respondent
3 shall retain the right to a hearing and proceeding on the
4 Accusation under all the provisions of the APA and shall not be
5 bound by any admission or waiver made herein.

6 6. The Order or any subsequent Order of the Real Estate
7 Commissioner made pursuant to this Stipulation and Agreement shall
8 not constitute an estoppel, merger or bar to any further
9 administrative or civil proceedings by the Department of Real
10 Estate with respect to any matters which were not specifically
11 alleged to be causes for accusation in this proceeding.

12 7. This Stipulation is entered into by each party with
13 the express understanding and agreement that it is to be used for
14 the purposes of settling these proceedings only and that this
15 Stipulation shall not be deemed, used, or accepted as an
16 acknowledgment or stipulation in any other civil or administrative
17 proceeding to which this Department is not a party.

18 DETERMINATION OF ISSUES

19 By reason of the foregoing stipulations, admissions and
20 waivers and solely for the purpose of settlement of the pending
21 Accusation without a hearing, it is stipulated and agreed that the
22 following determination of issues shall be made:

23 I

24 The conduct of Respondent, SANDRA LOTUS LAEMMLE, as
25 alleged in the Accusation, is grounds for the suspension or
26 revocation of all of the real estate licenses and license rights
27 of Respondent under the provisions of Regulations 2832 and 2835

1 and Sections 10176(e), 10177(d) & (h) of the Business and
2 Professions Code.

3 ORDER

4 All licenses and licensing rights of Respondent SANDRA
5 LOTUS LAEMMLE under the Real Estate Law are revoked; provided,
6 however, a restricted real estate broker license shall be issued
7 to Respondent pursuant to Section 10156.5 of the Business and
8 Professions Code if Respondent makes application therefor and pays
9 to the Department of Real Estate the appropriate fee for the
10 restricted license within 90 days from the effective date of this
11 Decision. The restricted license issued to Respondent shall be
12 subject to all of the provisions of Section 10156.7 of the
13 Business and Professions Code and to the following limitations,
14 conditions and restrictions imposed under authority of Section
15 10156.6 of that Code:

16 1. No restricted broker license shall be issued to
17 respondent until respondent provides evidence satisfactory to the
18 Real Estate Commissioner that the trust account shortages and
19 overages set forth in the Accusation have been cured.

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

25 3. The restricted license issued to Respondent may be
26 suspended prior to hearing by Order of the Real Estate
27



1 Commissioner on evidence satisfactory to the Commissioner that
2 Respondent has violated provisions of the California Real Estate
3 Law, the Subdivided Lands Law, Regulations of the Real Estate
4 Commissioner or conditions attaching to the restricted license.

5 4. Respondent shall not be eligible to apply for the
6 issuance of an unrestricted real estate license nor for the
7 removal of any of the conditions, limitations or restrictions of a
8 restricted license until one year has elapsed from the effective
9 date of this Decision.

10 5. Respondent shall, within nine months from the
11 effective date of this Decision, present evidence satisfactory to
12 the Real Estate Commissioner that Respondent has, since the most
13 recent issuance of an original or renewal real estate license,
14 taken and successfully completed the continuing education
15 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
16 for renewal of a real estate license. If Respondent fails to
17 satisfy this condition, the Commissioner may reorder the
18 suspension of the restricted license until the Respondent presents
19 such evidence. The Commissioner shall afford Respondent the
20 opportunity for a hearing pursuant to the Administrative Procedure
21 Act to present such evidence.

22 6. Respondent shall, within six months from the
23 effective date of this Decision, take and pass the Professional
24 Responsibility Examination administered by the Department
25 including the payment of the appropriate examination fee. If
26 Respondent fails to satisfy this condition, the Commissioner may
27



1 order suspension of Respondent's license until Respondent passes
2 the examination.

3 7. Pursuant to Section 10148 of the Business and
4 Professions Code, Respondent shall pay the Commissioner's
5 reasonable cost for an audit to determine if Respondent is
6 conducting activities requiring a real estate license in
7 compliance with Real Estate Law. In calculating the amount of the
8 Commissioner's reasonable cost, the Commissioner may use the
9 estimated average hourly salary for all persons performing audits
10 of real estate brokers, and shall include an allocation for travel
11 time to and from the auditor's place of work. Respondent shall
12 pay such cost within 45 days of receiving an invoice from the
13 Commissioner detailing the activities performed during the audit
14 and the amount of time spent performing those activities. The
15 Commissioner may suspend the restricted license issued to
16 respondent pending a hearing held in accordance with Section
17 11500, et seq., of the Government Code, if payment is not timely
18 made as provided for herein, or as provided for in a subsequent
19 agreement between the Respondent and the Commissioner. The
20 suspension shall remain in effect until payment is made in full or
21 until Respondent enters into an agreement satisfactory to the
22 Commissioner to provide for payment or until a decision providing
23 otherwise is adopted following a hearing held pursuant to this
24 condition.

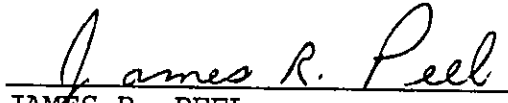
25 Petition for reinstatement of a revoked real estate
26 license is controlled by Section 11522 of the Government Code. A
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copy of Section 11522 is attached hereto for the information of respondent.

If and when application is made for a real estate license through a petition for reinstatement, all competent evidence of rehabilitation presented by the respondent will be considered by the Real Estate Commissioner. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto.

DATED: Nov. 30, 1998


JAMES R. PEEL
Counsel for Complainant

* * * *

I have read the Stipulation and Agreement in Settlement, 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

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

4 DATED: 11-18-98 *Sandra Lotus Laemmler*

SANDRA LOTUS LAEMMLE
Respondent

6 DATED: 11-30-98 *Frank M. Buda*

FRANK M. BUDA
Counsel for Respondent

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The foregoing Stipulation and Agreement is hereby adopted as
my Decision in this matter and shall become effective at 12 o'
clock noon on February 2, 1999.

IT IS SO ORDERED 12/8, 1998.

JIM ANTT, JR.
Real Estate Commissioner

Jim Antt Jr.

JRP:rgp



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FILED
JAN 13 1999

DEPARTMENT OF REAL ESTATE

By *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
HOFFMAN LAEMMLE and ASSOCIATES,)	NO. H-27577 LA
INC., et al)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 28, 1998, an Accusation was filed in this matter against Respondent Hoffman Laemmle and Associates, Inc., et al.

On September 17, 1998, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker corporation license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent Hoffman Laemmle and 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 Declaration dated September

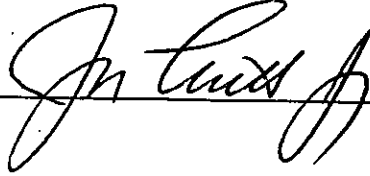
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17, 1998 (attached as Exhibit "A" hereto).

This order shall become effective at 12 o'clock
noon on February 2, 1999

DATED: 12/8/98

JIM ANTT, JR.
Real Estate Commissioner



Handwritten signature of Jim Antt, Jr. over a horizontal line.

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	NO. H-27577 LA
HOFFMAN LAEMMLE and ASSOCIATES,)	
INC., et al)	DECLARATION OF PETITION
Respondent.)	TO SURRENDER REAL ESTATE
	LICENSE

DECLARATION ON BEHALF OF HOFFMAN LAEMMLE and ASSOCIATES, INC.

1. The name of the corporation is Hoffman Laemmle and Associates, Inc., respondent in case no. H-27577 LA before the Department of Real Estate.

2. Pursuant to Business and Professions Code Section 10100.2, the corporation wishes to voluntarily surrender its real estate license issued by the Department.

3. It is understood that by so voluntarily surrendering the license, the corporation agrees to the following:

The filing of this petition shall be deemed to be an



SACTO

197-0514-002

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN 30 1998
DEPARTMENT OF REAL ESTATE
By [Signature]

* * *

In the Matter of the Accusation of)	H-27577 LA
)	L-1998 060 002
HOFFMAN LAEMMLE and ASSOCIATES,)	
INC., and SANDRA LOTUS LAEMMLE,)	
)	NOTICE OF HEARING ON ACCUSATION
Respondents.)	

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 107 South Broadway, 2nd. Floor, Los Angeles, California 90012 on September 1, 1998. at 9:00 a.m. or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: June 30, 1998

DEPARTMENT OF REAL ESTATE

By: James R. Peel
JAMES R. PEEL
DRE Counsel

cc: Hoffman Laemmle & Associates
SANDRA LOTUS LAEMMLE
LK, OAH & SACTO

Suits

1 JAMES R. PEEL, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012
5 State Bar 47055
6
7
8 (213) 897-3937

FILED
APR 28 1976
DEPARTMENT OF REAL ESTATE
By *[Signature]*

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

11 In the Matter of the Accusation of) NO. H-27577 LA
12)
13 HOFFMAN LAEMMLE and ASSOCIATES,)
14 INC., and SANDRA LOTUS LAEMMLE,)
15 Respondents.) ACCUSATION

16 The Complainant, Thomas McCrady, a Deputy Real Estate
17 Commissioner of the State of California, for cause of Accusation
18 against HOFFMAN LAEMMLE and ASSOCIATES, INC., and SANDRA LOTUS
19 LAEMMLE, alleges as follows:

I

21 The Complainant, Thomas McCrady, acting in his official
22 capacity as a Deputy Real Estate Commissioner of the State of
23 California makes this Accusation against HOFFMAN LAEMMLE and
24 ASSOCIATES, INC., and SANDRA LOTUS LAEMMLE.

II

26 HOFFMAN LAEMMLE and ASSOCIATES, INC., and SANDRA LOTUS
27 LAEMMLE (hereinafter referred to as respondents) are presently

1 licensed and/or have license rights under the Real Estate Law
2 (Part 1 of Division 4 of the Business and Professions Code,
3 hereinafter referred to as the "Code").

4 III

5 For the period January 1, 1996 to October 18, 1996,
6 respondent HOFFMAN LAEMMLE and ASSOCIATES, INC., was licensed by
7 the Department of Real Estate of the State of California as a
8 corporate real estate broker, and respondent SANDRA LOTUS LAEMMLE,
9 was licensed as the designated broker officer of said corporation,
10 and ordered, authorized, or participated in the illegal conduct of
11 respondent HOFFMAN LAEMMLE and ASSOCIATES, INC., as alleged in
12 this Accusation. After October 18, 1996, respondent SANDRA LOTUS
13 LAEMMLE remained licensed as an individual real estate broker, dba
14 Aztec Financial.

15 IV

16 At all times herein mentioned, respondents HOFFMAN
17 LAEMMLE and ASSOCIATES, INC., and SANDRA LOTUS LAEMMLE, on behalf
18 of other in expectation of compensation, engaged in the business,
19 acted in the capacity of, advertised or assumed to act as a real
20 estate broker in the State of California within the meaning of
21 Section 10131(d) of the Code, including soliciting borrowers and
22 lenders and negotiating loans on real property.

23 V

24 During 1996 and 1997, in connection with the aforesaid
25 real estate brokerage activities, respondents HOFFMAN LAEMMLE and
26 ASSOCIATES, INC., and SANDRA LOTUS LAEMMLE, accepted or received
27



1 funds from borrowers and lenders and thereafter made disbursements
2 of such funds.

3 VI

4 In connection with respondents' activities as a real
5 estate broker, as described above, respondents, HOFFMAN LAEMMLE
6 and ASSOCIATES, INC., and SANDRA LOTUS LAEMMLE acted in violation
7 of the Real Estate Law, Business and Professions Code (hereinafter
8 Code), and California Code of Regulations (hereinafter
9 Regulations), title 10, Chapter 6, as follows:

10 HOFFMAN LAEMMLE AND ASSOCIATES, INC., and SANDRA
11 LOTUS LAEMMLE

12 1. Violated Section 10145(a) of the Code and Regulation
13 2832.1 by maintaining a shortage in the escrow trust account as of
14 September 30, 1996 in the amount of \$74,297.54.

15 Violated Section 10176(e) of the Code and Regulation
16 2835 by maintaining an overage in the loan servicing trust account
17 as of September 30, 1996 in the amount of \$13,059.44.

18 2. Violated Regulations 2830/2832 in that the trust
19 accounts were not maintained in the broker's name as trustee.

20 3. Violated Regulation 2831 in that the columnar record
21 for the servicing trust account did not show deposits posted in
22 chronological order making the daily balance inaccurate. Payee
23 information was missing.

24 4. Violated Regulation 2831.1 in that the separate
25 records did not show a daily balance.

26 5. Violated Regulation 2831.2 by failing to maintain a
27 monthly record of trust fund account reconciliation. The



1 columnar record was not reconciled to the separate records on a
2 monthly basis.

3 6. Violated Section 10232(e) by failing to notify the
4 Department of Real Estate upon meeting the criteria requiring such
5 notification.

6 SANDRA LOTUS LAEMMLE

7 1. Violated Section 10176(e) of the Code and Regulation
8 2835 by maintaining an overage in the escrow trust account as of
9 May 31, 1997 in the amount of \$868,841.97. The loan servicing
10 trust account reflected a similar overage of \$18,043.89 as of this
11 date.

12 2. Violated Regulation 2832 in that the trust accounts
13 were not maintained in the broker's name as trustee.

14 3. Violated Regulation 2831 by maintaining a columnar
15 record of trust funds received and paid out for the servicing
16 trust account which did not contain a record of deposits posted in
17 chronological order. The daily balance was frequently not
18 accurate and payee information was not always included.

19 4. Violated Regulation 2831.1 in that the separate
20 records did not show a daily balance.

21 5. Violated Regulation 2831.2 by failing to maintain a
22 monthly record of trust fund account reconciliation. The
23 columnar record was not reconciled to the separate records on a
24 monthly basis.

25 6. Violated Section 10232(e) by failing to notify the
26 Department of Real Estate upon meeting the criteria requiring such
27 notification.

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VII

The conduct of respondent HOFFMAN LAEMMLE and ASSOCIATES, INC., as alleged above, subjects its real estate license and license rights to suspension or revocation pursuant to Sections 10177(d), 10176(e), and 10177(g) of the Code.

VIII

The conduct of respondent SANDRA LOTUS LAEMMLE, as alleged above, individually, and as the responsible broker, by causing and permitting respondent HOFFMAN LAEMMLE and ASSOCIATES, INC., to engage in the conduct specified in paragraph VI above, subjects her real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d), 10176(e) and 10177(h) of the Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of respondents HOFFMAN LAEMMLE and ASSOCIATES, INC., and SANDRA LOTUS LAEMMLE under the Real Estate law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California this 28th day of April, 1998.

THOMAS MCCRADY
Deputy Real Estate Commissioner

cc: HOFFMAN LAEMMLE and ASSOCIATES, INC.,
SANDRA LOTUS LAEMMLE
Sacto.
LK

JRP:rgp

