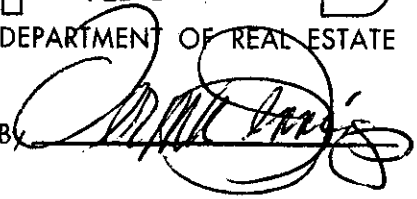


Served
Filed

1 Department of Real Estate
2 320 W. 4th St., Room 350
3 Los Angeles, California 90013
4 Telephone: (213) 576-6982

FILED
FEB 14 2006
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-31519 LA
12	ROBERT LA VERN CONLEE,)	L-2005 020 580
13)	<u>STIPULATION AND AGREEMENT</u>
14	Respondent.)	

15
16 It is hereby stipulated by and between ROBERT LA VERN
17 CONLEE (sometimes referred to as Respondent), and his attorney,
18 Matthew R. Eccles, and the Complainant, acting by and through
19 James R. Peel, Counsel for the Department of Real Estate, as
20 follows for the purpose of settling and disposing of the
21 Accusation filed on November 22, 2004, in this matter.

22 1. All issues which were to be contested and all
23 evidence which was to be presented by Complainant and
24 Respondent at a formal hearing on the Accusation, which hearing
25 was to be held in accordance with the provisions of the
26 Administrative Procedure Act ("APA"), shall instead and in place
27 thereof be submitted solely on the basis of the provisions of

1 this Stipulation and Agreement ("Stipulation").

2 2. Respondent has received, read and understands the
3 Statement to Respondent, the Discovery Provisions of the
4 Administrative Procedure Act ("APA") and the Accusation filed by
5 the Department of Real Estate in this proceeding.

6 3. On December 9, 2004, Respondent filed a Notice of
7 Defense pursuant to Section 11506 of the Government Code for the
8 purpose of requesting a hearing on the allegations in the
9 Accusation. Respondent hereby freely and voluntarily withdraws
10 said Notice of Defense. Respondent acknowledges that he
11 understands that by withdrawing said Notice of Defense he will
12 thereby waive his right to require the Commissioner to prove the
13 allegations in the Accusation at a contested hearing held in
14 accordance with the provisions of the APA and that he will waive
15 other rights afforded to him in connection with the hearing such
16 as the right to present evidence in defense of the allegations
17 in the Accusation and the right to cross-examine witnesses.

18 4. This Stipulation is based on the factual
19 allegations contained in the Accusation filed in this
20 proceeding. In the interest of expedience and economy,
21 Respondent chooses not to contest these factual allegations, but
22 to remain silent and understands that, as a result thereof,
23 these factual statements, will serve as a prima facie basis for
24 the disciplinary action stipulated to herein. The Real Estate
25 Commissioner shall not be required to provide further evidence
26 to prove such allegations.
27

1 5. This Stipulation and Respondent's decision not to
2 contest the Accusation is made for the purpose of reaching an
3 agreed disposition of this proceeding and is expressly limited
4 to this proceeding and any other proceeding or case in which the
5 Department of Real Estate ("Department"), the state or federal
6 government, or an agency of this state, another state or the
7 federal government is involved.

8 6. It is understood by the parties that the Real
9 Estate Commissioner may adopt the Stipulation as his decision
10 in this matter thereby imposing the penalty and sanctions on
11 Respondent's real estate license and license rights as set forth
12 in the below "Order". In the event that the Commissioner in his
13 discretion does not adopt the Stipulation, the Stipulation shall
14 be void and of no effect, and Respondent shall retain the right
15 to a hearing on the Accusation under all the provisions of the
16 APA and shall not be bound by any stipulation or waiver made
17 herein.
18

19 7. The Order or any subsequent Order of the Real
20 Estate Commissioner made pursuant to this Stipulation shall not
21 constitute an estoppel, merger or bar to any further
22 administrative or civil proceedings by the Department of Real
23 Estate with respect to any conduct which was not specifically
24 alleged to be causes for accusation in this proceeding.

25 ///

26 ///

27

DETERMINATION OF ISSUES

1
2 By reason of the foregoing stipulations and waivers
3 and solely for the purpose of settlement of the pending
4 Accusation without a hearing, it is stipulated and agreed that
5 the following determination of issues shall be made:

6 The conduct, acts and/or omissions of Respondent
7 ROBERT LA VERN CONLEE, as set forth in the Accusation,
8 constitutes cause for the suspension or revocation of all of the
9 real estate licenses and license rights of Respondent under the
10 provisions of Section 10177(f) of the Business and Professions
11 Code ("Code").

ORDER

12
13 All licenses and licensing rights of Respondent ROBERT
14 LA VERN CONLEE under the Real Estate Law are hereby publicly
15 reproved.

16
17
18 DATED: Jan 25, 2006

James R. Peel
JAMES R. PEEL, Counsel for the
Department of Real Estate

* * *

19
20
21
22 I have read the Stipulation and Agreement, have
23 discussed it with my attorney, and its terms are understood by
24 us and are agreeable and acceptable to me. I understand that I
25 am waiving rights given to me by the California Administrative
26 Procedure Act (including but not limited to Sections 11506,
27 11508, 11509 and 11513 of the Government Code), and I willingly,

1 intelligently and voluntarily waive those rights, including the
2 right of requiring the Commissioner to prove the allegations in
3 the Accusation at a hearing at which I would have the right to
4 cross-examine witnesses against me and to present evidence in
5 defense and mitigation of the charges.

6 Respondent can signify acceptance and approval of the
7 terms and conditions of this Stipulation and Agreement by faxing
8 a copy of the signature page, as actually signed by Respondent,
9 to the Department at the following telephone/fax number:

10 (213) 576-6917. Respondent agrees, acknowledges and understands
11 that by electronically sending to the Department a fax copy of
12 his or her actual signature as it appears on the Stipulation and
13 Agreement, that receipt of the faxed copy by the Department
14 shall be as binding on Respondent as if the Department had
15 received the original signed Stipulation and Agreement.

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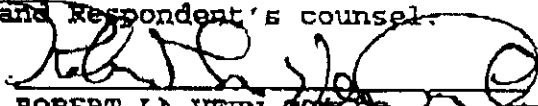
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Further, if the Respondent is represented, the Respondent's legal counsel can signify his or her agreement to the terms and conditions of the Stipulation and Agreement by submitting that signature via fax. The Commissioner has asked that the attorney will concurrently or within 24 hours of obtaining Respondent's signature to the agreement deposit in the mail the original settlement/stipulation containing the original signature of both Respondent and Respondent's counsel.

DATED: 1/23/06


ROBERT LA VERN CONLEY,
Respondent

DATED: 1/23/06


MATTHEW R. ECCLES
Counsel for Respondent

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

IT IS SO ORDERED _____, 2006.

JEFF DAVI
Real Estate Commissioner

1 Further, if the Respondent is represented, the
2 Respondent's legal counsel can signify his or her agreement to
3 the terms and conditions of the Stipulation and Agreement by
4 submitting that signature via fax. The Commissioner has asked
5 that the attorney will concurrently or within 24 hours of
6 obtaining Respondent's signature to the agreement deposit in the
7 mail the original settlement/stipulation containing the original
8 signature of both Respondent and Respondent's counsel.

9 DATED: _____
10 ROBERT LA VERN CONLEE,
11 Respondent

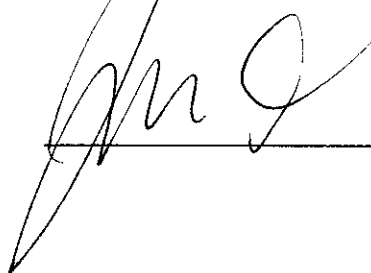
12 DATED: _____
13 MATTHEW R. ECCLES
14 Counsel for Respondent

15 * * *

16 The foregoing Stipulation and Agreement is hereby
17 adopted as my Decision and Order in this matter, and shall
18 become effective at 12 o'clock noon on March 6, 2006.

19 IT IS SO ORDERED 2-8, 2006.

20 JEFF DAVI
21 Real Estate Commissioner

22 
23 _____
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FILED
JUL - 8 2005
DEPARTMENT OF REAL ESTATE
[Signature]

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-31519 LA
)	
L AND H ASSOCIATES, INC.,)	L-2005 020 580
and ROBERT LA VERNE CONLEE,)	
)	
Respondents.)	

DISMISSAL

The Accusation filed November 22, 2004, against Respondent L AND H ASSOCIATES, INC. is hereby dismissed.

This Order is effective immediately.

DATED: June 24, 2005

JEFF DAVI
Real Estate Commissioner

[Signature]
BY: John R. Liberator
Chief Deputy Commissioner

Handwritten initials/signature

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105

5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED
NOV 22 2004
DEPARTMENT OF REAL ESTATE

Handwritten signature

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-31519 LA
12	L AND H ASSOCIATES, INC.,)	A C C U S A T I O N
13	and ROBERT LA VERNE CONLEE,)	
14	Respondents.)	

15 The Complainant, Janice A. Waddell, a Deputy Real Estate
16 Commissioner of the State of California, for cause of accusation
17 against L AND H ASSOCIATES, INC., and ROBERT LA VERNE CONLEE,
18 alleges as follows:

19 I

20 The Complainant, Janice A. Waddell, a Deputy Real
21 Estate Commissioner of the State of California, makes this
22 Accusation in her official capacity.

23 II

24 L AND H ASSOCIATES, INC., and ROBERT LA VERNE CONLEE,
25 (hereinafter referred to as "Respondents") are presently licensed
26 and/or have license rights under the Real Estate Law (Part 1 of
27 //

1 Division 4 of the Business and Professions Code, hereinafter
2 referred to as the "Code").

3 III

4 At all times herein mentioned, Respondents L and H
5 ASSOCIATES, INC. and ROBERT LA VERNE CONLEE were licensed by the
6 Department of Real Estate of the State of California as real
7 estate brokers.

8 IV

9 At all times herein mentioned, Respondent ROBERT LA
10 VERNE CONLEE owned 10% or more of the outstanding stock of
11 Respondent L and H ASSOCIATES, INC.

12 V

13 On or about July 17, 2003, Respondent ROBERT LA VERNE
14 CONLEE filed with the Department of Real Estate a Corporate
15 Background Statement for Respondent L and H ASSOCIATES, INC.
16 representing that at no time in the last ten years had he had any
17 business or professional license to practice real estate or other
18 regulated profession, occupation or vocation denied, suspended,
19 or revoked in California or any other state.
20

21 VI

22 The above representation by Respondent CONLEE was false
23 in that effective May 26, 1998, the real estate broker license of
24 Respondent CONLEE was revoked with the right to apply for a
25 restricted license as a result of the Decision in Case No.
26 H-27484 LA.
27

VII

1 The conduct of Respondent L and H ASSOCIATES, INC., as
2 alleged above, subjects its license and license rights to
3 suspension or revocation pursuant to Sections 10177(a), (f) and
4 (j) of the Code.
5

VIII

6 The conduct of Respondent ROBERT LA VERNE CONLEE, as
7 alleged above, subjects his license and license rights to
8 suspension or revocation pursuant to Sections 10177(a), (f) and
9 (j) of the Code.
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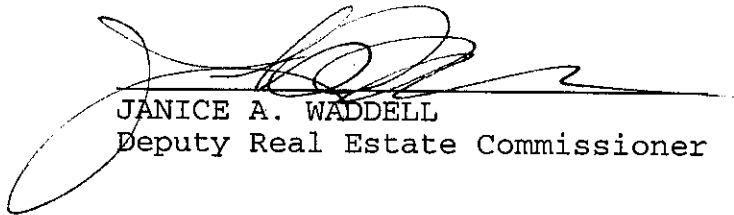
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27

1 WHEREFORE, Complainant prays that a hearing be conducted
2 on the allegations of this Accusation and that upon proof
3 thereof, a decision be rendered imposing disciplinary action
4 against all licenses and license rights of Respondents L AND H
5 ASSOCIATES, INC., and ROBERT LA VERNE CONLEE, under the Real
6 Estate Law (Part 1 of Division 4 of the Business and Professions
7 Code) and for such other and further relief as may be proper
8 under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 18 day of November, 2004.

11
12
13 
14 JANICE A. WADDELL
15 Deputy Real Estate Commissioner
16
17
18
19
20

21 cc: L and H Associates, Inc.
22 Robert LaVerne Conlee
23 Janice A. Waddell
24 Sacto.
25 JN
26
27