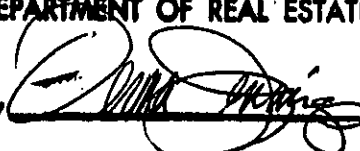


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FILED
AUG 24 2011
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-32869 LA
)	
PAUL H. BAHK,)	
)	
Respondent.)	

ORDER GRANTING REINSTATEMENT OF LICENSE

On January 24, 2007, a Decision was rendered herein revoking the real estate salesperson license of Respondent, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on March 6, 2007, and Respondent has operated as a restricted licensee since that time.

On or about August 20, 2009, Respondent petitioned for reinstatement of said real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of Respondent's petition.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate

1 salesperson license and that it would not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following requirements:

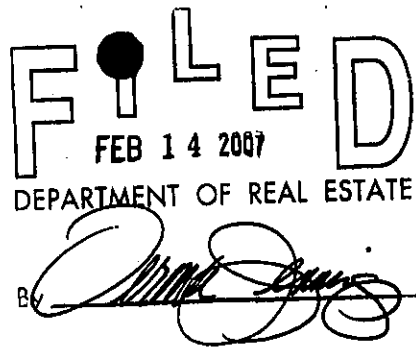
- 6 1. Submits a completed application and pays the fee for a real estate salesperson
7 license within the 12 month period following the date of this Order; and
8
9 2. Submits proof that Respondent has completed the continuing education
10 requirements for renewal of the license sought. The continuing education courses must be
11 completed either (i) within the 12 month period preceding the filing of the completed
12 application, or (ii) within the 12 month period following the date of this Order.

13
14 This Order shall be effective immediately.

15 Dated: 6/29/11
16

17 BARBARA J. BIGBY
18 Acting Real Estate Commissioner

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1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013
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(213) 576-6913

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
PAUL H. BAHK,)
Respondent.)

No. H-32869 LA
L-2006 090 721

STIPULATION AND AGREEMENT

It is hereby stipulated by and between PAUL H. BAHK (sometimes referred to as Respondent), and his attorney, Robert Landon Kirste, and the Complainant, acting by and through James R. Peel, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on May 16, 2006, 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 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.

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 June 16, 2006, 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 he
10 understands that by withdrawing said Notice of Defense he will
11 thereby waive his 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 he will waive
14 other rights afforded to him in connection with the hearing such
15 as the right to present evidence in defense of the allegations
16 in the Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, hereby admits that the factual allegations in Paragraphs
19 II, III, IV and V of the Accusation filed in this proceeding are
20 true and correct and the Real Estate Commissioner shall not be
21 required to provide further evidence of such allegations.

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

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

13 DETERMINATION OF ISSUES

14 By reason of the foregoing stipulations, admissions
15 and waivers and solely for the purpose of settlement of the
16 pending Accusation without a hearing, it is stipulated and
17 agreed that the following determination of issues shall be made:

18 The conduct of Respondent, as described in Paragraph
19 4, above, is grounds for the suspension or revocation of all of
20 the real estate licenses and license rights of Respondent under
21 the provisions of Sections 10177(a) and 498 of the Business and
22 Professions Code.

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1 3. Respondent shall not be eligible to apply for the
2 issuance of an unrestricted real estate license nor for the
3 removal of any of the conditions, limitations or restrictions of
4 a restricted license until two years have elapsed from the
5 effective date of this Decision.

6 4. Respondent shall submit with any application for
7 license under an employing broker, or any application for
8 transfer to a new employing real estate broker on a form RE 552
9 approved by the Department of Real Estate which shall certify:

10 (a) That the employing broker has read the
11 Decision which is the basis for the issuance of the restricted
12 license; and

13 (b) That the employing broker will carefully
14 review all transaction documents prepared by the restricted
15 licensee and otherwise exercise close supervision over the
16 licensee's performance of acts for which a license is required.

17 5. Respondent shall, within nine months from the
18 effective date of this Decision, present evidence satisfactory
19 to the Real Estate Commissioner that Respondent has, since the
20 most recent issuance of an original or renewal real estate
21 license, taken and successfully completed the continuing
22 education requirements of Article 2.5 of Chapter 3 of the Real
23 Estate Law for renewal of a real estate license. If Respondent
24 fails to satisfy this condition, the Commissioner may order the

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1 suspension of the restricted license until the Respondent
2 presents such evidence. The Commissioner shall afford
3 Respondent the opportunity for a hearing pursuant to the
4 Administrative Procedure Act to present such evidence.

5
6 DATED: Jan. 8, 2007

7
8 James R. Peel
9 JAMES R. PEEL
10 Counsel for Complainant
11 * * *


12 I have read the Stipulation and Agreement, have
13 discussed it with my attorney, and its terms are understood by
14 me and are agreeable and acceptable to me. I understand that I
15 am waiving rights given to me by the California Administrative
16 Procedure Act (including but not limited to Sections 11506,
17 11508, 11509 and 11513 of the Government Code), and I willingly,
18 intelligently and voluntarily waive those rights, including the
19 right of requiring the Commissioner to prove the allegations in
20 the Accusation at a hearing at which I would have the right to
21 cross-examine witnesses against me and to present evidence in
22 defense and mitigation of the charges.

23 Respondent can signify acceptance and approval of the
24 terms and conditions of this Stipulation and Agreement by faxing
25 a copy of the signature page, as actually signed by Respondent,
26 to the Department at the following telephone/fax number:
27 (213) 576-6917. Respondent agrees, acknowledges and understands

1 that by electronically sending to the Department a fax copy of
2 his actual signature as it appears on the Stipulation and
3 Agreement that receipt of the faxed copy by the Department shall
4 be as binding on Respondent as if the Department had received
5 the original signed Stipulation and Agreement.

6 Further, if the Respondent is represented in these
7 proceedings, the Respondent's attorney can signify his agreement
8 to the terms and conditions of the Stipulation and Agreement by
9 submitting that signature via fax.

10 DATED: JAN. 4, 2007


11 PAUL H. BAHRK
Respondent

12
13
14 DATED: JAN 04, 2007


15 ROBERT LANDON KIRSTE
Counsel for Respondent

16
17 * * *

18 The foregoing Stipulation and Agreement is hereby
19 adopted as my Decision in this matter and shall become effective
20 at 12 o'clock noon on _____
21

22 IT IS SO ORDERED _____

23 JEFF DAVI
Real Estate Commissioner
24
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1 that by electronically sending to the Department a fax copy of
2 his actual signature as it appears on the Stipulation and
3 Agreement that receipt of the faxed copy by the Department shall
4 be as binding on Respondent as if the Department had received
5 the original signed Stipulation and Agreement.

6 Further, if the Respondent is represented in these
7 proceedings, the Respondent's attorney can signify his agreement
8 to the terms and conditions of the Stipulation and Agreement by
9 submitting that signature via fax.

10
11 DATED: _____

PAUL H. BAHK
Respondent

12
13
14 DATED: _____

ROBERT LANDON KIRSTE
Counsel for Respondent

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18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on March 6, 2007

22 IT IS SO ORDERED

1-24-07

23 JEFF DAVI
24 Real Estate Commissioner
25
26
27

SACD,

FILED
MAY 16 2008

DEPARTMENT OF REAL ESTATE

By 

JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013-1105

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

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-32869 LA
PAUL H. BAHK,)	<u>ACCUSATION</u>
Respondent.)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against PAUL H. BAHK, alleges as follows:

I

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

II

PAUL H. BAHK (hereinafter referred to as "Respondent") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter referred to as the "Code").

1 III

2 Respondent was licensed by the Department of Real
3 Estate of the State of California as a real estate salesperson
4 from July 22, 1993, through July 21, 2005. Respondent renewed
5 his license effective July 22, 2005.

6 IV

7 In response to Question 3 of Respondent's renewal
8 application filed with the Department on July 11, 2005, to wit,
9 "Within the past four year period, have you been convicted of any
10 violation of law?", Respondent answered "No".

11 V

12 On or about October 19, 2001, in the Superior Court of
13 California, County of Los Angeles, in Case No. BA005789,
14 Respondent was convicted of violating Penal Code Section 245(a)
15 (assault with a deadly weapon).

16 VI

17 The crime of which Respondent was convicted bears a
18 substantial relationship to the qualifications, functions, or
19 duties of a real estate licensee.

20 VII

21 Respondent's failure to disclose the matter set forth
22 in Paragraph V, above, in said application constitutes the
23 procurement of a real estate salesperson license by
24 misrepresentation, fraud, or deceit, or by making a material
25 misstatement of fact in said application, or by knowingly making
26 a false statement of fact required to be revealed in said
27 application, which failure is cause under Sections 498 and

1 10177(a) of the Code for suspension or revocation of all licenses
2 and license rights of Respondent under the Real Estate Law.

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

10 Dated at Los Angeles, California,

11 this 4th day of May 2006.

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14 
15 MARIA SUAREZ
16 Deputy Real Estate Commissioner
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25 cc: Paul H. Bahk
26 Masters Realty Group, Inc.
27 Maria Suarez
Sacto.