

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

APR 11 2008

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-34284 LA  
12 BRANDON MICHAEL HAFT, ) L-2007100838  
13 )  
14 Respondent. ) STIPULATION AND AGREEMENT

15  
16 It is hereby stipulated by and between BRANDON MICHAEL  
17 HAFT, (sometimes referred to as "Respondent"), and the  
18 Complainant, acting by and through Cheryl D. Keily, Counsel for  
19 the Department of Real Estate, as follows for the purpose of  
20 settling and disposing of the Accusation filed on September 10,  
21 2007, in this matter.

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

5           3. On September 20, 2007, Respondent filed a Notice of  
6 Defense, pursuant to Section 11506 of the Government Code for  
7 the 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,  
15 such as the right to present evidence in defense of the  
16 allegations in the Accusation and the right to cross-examine  
17 witnesses.

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

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

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

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

14                           DETERMINATION OF ISSUES

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

19           The Conduct of Respondent, as described in the  
20 Accusation, is grounds for the suspension or revocation of all  
21 of the real estate licenses and license rights of Respondent  
22 under the provisions of Sections 490 and 10177(b) of the  
23 Business and Professions Code.

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ALL licenses and licensing rights of Respondent  
BRANDON MICHAEL HAFT, under the Real Estate Law are revoked;  
provided, however, a restricted real estate salesperson license  
shall be issued to Respondent pursuant to Section 10156.5 of the  
Code if Respondent makes application therefor and pays to the  
Department the appropriate fee for the restricted license within  
90 days from the effective date of this Decision.

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

3. Respondent shall not be eligible to apply for  
issuance of an unrestricted real estate salesperson license nor  
for the removal of any of the conditions, limitations or

1 restrictions of a restricted license until two (2) years have  
2 elapsed from the effective date of this Decision.

3       4. Respondent shall submit with any application for  
4 license under an employing broker, or any application for  
5 transfer to a new employing broker, a statement signed by the  
6 prospective employing real estate broker, on a form approved by  
7 the Department, which shall certify:


8           (a) That the employing broker has read the Decision  
9 of the Commissioner which granted the right to a restricted  
10 license; and

11           (b) That the employing broker will exercise close  
12 supervision over the performance by the restricted licensee  
13 relating to activities for which a real estate salesperson  
14 license is required.

15       5. Respondent shall, within nine (9) months from the  
16 effective date of this Decision, present evidence satisfactory  
17 to the Commissioner that Respondent has, since the most recent  
18 issuance of an original or renewal real estate salesperson  
19 license, taken and successfully completed the continuing  
20 education requirements of Article 2.5 of Chapter 3 of the Real  
21 Estate Law for renewal of a real estate salesperson license. If  
22 Respondent fails to satisfy this condition, the Commissioner may  
23 order the suspension of the restricted license until Respondent  
24 presents such evidence. The Commissioner shall afford  
25 Respondent the opportunity for a hearing pursuant to the APA to  
26 present such evidence.  
27

1 DATED:

2/1/08

  
CHERYL D. KEILY, Counsel  
DEPARTMENT OF REAL ESTATE

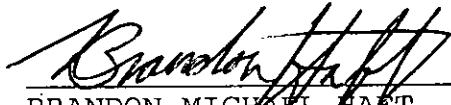
3 \* \* \*

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

15 Respondent can signify acceptance and approval of the  
16 terms and conditions of this Stipulation and Agreement by faxing  
17 a copy of its signature page, as actually signed by Respondent,  
18 to the Department at the following telephone/fax number (213)  
19 576-6917. Respondent agrees, acknowledges, and understands that  
20 by electronically sending to the Department a fax copy of his  
21 actual signature as it appears on the Stipulation and Agreement,  
22 that receipt of the faxed copy by the Department shall be as  
23 binding on Respondent as if the Department had received the  
24 original signed Stipulation and Agreement.

26 DATED:

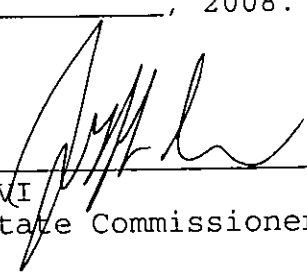
1/28/08

  
BRANDON MICHAEL HAFT,  
Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby  
adopted as my Decision in this matter and shall become effective  
at 12 o'clock noon on May 1, 2008.

IT IS SO ORDERED 4-8, 2008.

  
JEFF DAVIS  
Real Estate Commissioner

1 CHERYL D. KEILY, Counsel (SBN 94008)  
2 Department of Real Estate  
3 320 West 4th Street, Suite 350  
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982  
6 (Direct) (213) 576-5770

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SEP 10 2007

DEPARTMENT OF REAL ESTATE

BY: 

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9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation of ) No. H-34284 LA  
13 BRANDON MICHAEL HAFT, ) A C C U S A T I O N  
14 Respondent. )  
15

16 The Complainant, Maria Suarez, a Deputy Real Estate  
17 Commissioner of the State of California, for cause of Accusation  
18 against BRANDON MICHAEL HAFT, aka Brandon Haft, ("Respondent")  
19 alleges as follows:

20 1.

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

24 2.

25 Respondent is presently licensed and/or has license  
26 rights under the Real Estate Law, Part 1 of Division 4 of the  
27



1 California Business and Professions Code ("Code") as a real  
2 estate salesperson.

3 3.

4 (CRIMINAL CONVICTION)

5 On or about August 17, 2005, in the Superior Court for  
6 the State of California, County of Los Angeles, in Case No.  
7 LA049164, Respondent was convicted of violating California  
8 Health & Safety Code section 11366 (Keep Place to Sell  
9 Controlled Substance), a felony. The underlying facts of this  
10 crime involve moral turpitude, and bear a substantial  
11 relationship under Section 2910, Title 10, Chapter 6, California  
12 Code of Regulations to the qualifications, functions or duties  
13 of a real estate licensee.

14 4.

15 The crime of which Respondent was convicted, as  
16 described in Paragraph 3, above, constitutes cause under  
17 Sections 490 and 10177(b) of the Code for the suspension or  
18 revocation of the license and license rights of Respondent under  
19 the Real Estate Law.  
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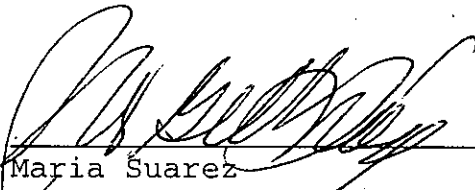
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1 WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all the licenses and license rights of  
5 Respondent, BRANDON MICHAEL HAFT, under the Real Estate Law  
6 (Part 1 of Division 4 of the Business and Professions Code) and  
7 for such other and further relief as may be proper under other  
8 applicable provisions of law.  
9

10 Dated at Los Angeles, California  
11 this 6th day of September, 2007.  
12

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14  
15   
16 Maria Suarez  
17 Deputy Real Estate Commissioner  
18  
19  
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21  
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23  
24

25 cc: BRANDON MICHAEL HAFT  
26 Rodeo Realty Inc.  
27 Maria Suarez  
Sacto.