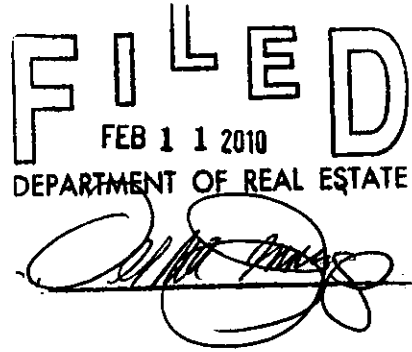


1 Department of Real Estate
2 320 W. 4th St., Room 350
3 Los Angeles, California 90013
4 Telephone: (213) 576-6982
5
6



7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of) No. H-35017 LA
11)
12 MARVIN JULIUS JACKSON,) STIPULATION AND AGREEMENT
13)
14)
15 Respondent.)
16)

17 It is hereby stipulated by and between MARVIN JULIUS
18 JACKSON (sometimes referred to as Respondent), and his attorney,
19 John K. Mitchell, and the Complainant, acting by and through
20 James R. Peel, Counsel for the Department of Real Estate, as
21 follows for the purpose of settling and disposing of the
22 Accusation filed on June 9, 2008, in this matter.
23

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1 1. All issues which were to be contested and all
2 evidence which was to be presented by Complainant and Respondent
3 at a formal hearing on the Accusation, which hearing
4 was to be held in accordance with the provisions of the
5 Administrative Procedure Act ("APA"), shall instead and in place
6 thereof be submitted solely on the basis of the provisions of
7 this Stipulation and Agreement ("Stipulation").

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

12 3. Respondent acknowledges that he understands that
13 by signing this Stipulation and Agreement he will thereby waive
14 his right to require the Commissioner to prove the allegations
15 in the Accusation at a contested hearing held in accordance with
16 the provisions of the APA and that he will waive other rights
17 afforded to him in connection with the hearing, such as the
18 right to present evidence in defense of the allegations in the
19 Accusation and the right to cross-examine witnesses.

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

1 Commissioner shall not be required to provide further evidence
2 to prove such allegations.

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

10 6. It is understood by the parties that the Real
11 Estate Commissioner may adopt the Stipulation as his decision
12 in this matter thereby imposing the penalty and sanctions on
13 Respondent's real estate licenses and license rights as set
14 forth in the below "Order". In the event that the Commissioner
15 in his discretion does not adopt the Stipulation, the
16 Stipulation shall be void and of no effect, and Respondent shall
17 retain the right to a hearing on the Accusation under all the
18 provisions of the APA and shall not be bound by any stipulation
19 or waiver made herein.
20

21 7. The Order or any subsequent Order of the Real
22 Estate Commissioner made pursuant to this Stipulation shall not
23 constitute an estoppel, merger or bar to any further
24 administrative or civil proceedings by the Department of Real
25 Estate with respect to any conduct which was not specifically
26 alleged to be causes for accusation in this proceeding.
27

DETERMINATION OF ISSUES

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

The conduct, acts and/or omissions of Respondent MARVIN JULIUS JACKSON, as set forth in the Accusation, constitute cause for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provisions of Section 10177(g) of the Business and Professions Code ("Code").

ORDER

All licenses and licensing rights of Respondent MARVIN JULIUS JACKSON under the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this Decision; provided, however, that thirty (30) days of said suspension shall be stayed upon the following terms and conditions:

1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code at the rate of \$100 for each day of the suspension for a total monetary penalty of \$3,000.

2. Said payment shall be in the form of a cashier's check or certified check made payable to the Recovery Account of the Real Estate Fund. Said check must be received by the Department prior to the effective date of the Decision in

1 this matter.

2 3. No further cause for disciplinary action
3 against the real estate license of Respondent occurs within one
4 year from the effective date of this Decision.

5 4. If Respondent fails to pay the monetary
6 penalty in accordance with the terms and conditions of the
7 Decision, the Commissioner may, without a hearing, order the
8 immediate execution of all or any part of the stayed suspension
9 in which event the Respondent shall not be entitled to any
10 repayment nor credit, prorated or otherwise, for money paid to
11 the Department under the terms of this Decision.

12 5. If Respondent pays the monetary penalty and
13 if no further cause for disciplinary action against the real
14 estate license of Respondent occurs within one year from the
15 effective date of the Decision, the stay hereby granted shall
16 become permanent.

17
18
19 DATED: Oct. 1, 2009

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

23 * * *

24 I have read the Stipulation and Agreement, discussed
25 it with my attorney, and its terms are understood by me and are
26 agreeable and acceptable to me. I understand that I am waiving
27 rights given to me by the California Administrative Procedure
Act (including but not limited to Sections 11506, 11508, 11509

1 and 11513 of the Government Code), and I willingly,
2 intelligently and voluntarily waive those rights, including the
3 right of requiring the Commissioner to prove the allegations in
4 the Accusation at a hearing at which I would have the right to
5 cross-examine witnesses against me and to present evidence in
6 defense and mitigation of the charges.

7 Respondent can signify acceptance and approval of the
8 terms and conditions of this Stipulation and Agreement by faxing
9 a copy of the signature page, as actually signed by Respondent,
10 to the Department at the following telephone/fax number:
11 (213) 576-6917. Respondent agrees, acknowledges and understands
12 that by electronically sending to the Department a fax copy of
13 his or her actual signature as it appears on the Stipulation and
14 Agreement, that receipt of the faxed copy by the Department
15 shall be as binding on Respondent as if the Department had
16 received the original signed Stipulation and Agreement.

17 Further, if the Respondent is represented, the
18 Respondent's counsel can signify his or her agreement to the
19 terms and conditions of the Stipulation and Agreement by
20 submitting that signature via fax.

21
22 DATED: _____

23 MARVIN JULIUS JACKSON
24 Respondent

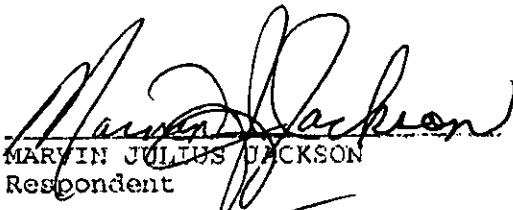
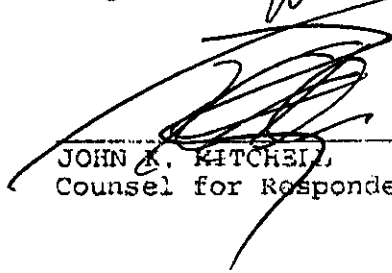
25
26 DATED: _____

27 JOHN K. MITCHELL
Counsel for Respondent

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

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

17 Further, if the Respondent is represented, the
18 Respondent's counsel can signify his or her agreement to the
19 terms and conditions of the Stipulation and Agreement by
20 submitting that signature via fax.

21
22 DATED: 9/25/09
23 MARVIN JULIUS JACKSON
24 Respondent25
26 DATED: 9/25/09
27 JOHN A. MITCHELL
Counsel for Respondent

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* * *

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 March 3, 2010.

IT IS SO ORDERED

10-21-09

JEFF DAVI
Real Estate Commissioner



A handwritten signature in dark ink, appearing to read 'Jeff Davi', is written over a horizontal line.

5/20/08
Flag

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

FILED
JUN - 9 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-35017 LA
12 MARVIN JULIUS JACKSON,)	<u>A C C U S A T I O N</u>
13)	
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 MARVIN JULIUS JACKSON, alleges as follows:

19 I

20 The Complainant, Maria Suarez, acting in her official
21 capacity as a Deputy Real Estate Commissioner of the State of
22 California, makes this Accusation against MARVIN JULIUS JACKSON.

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1 II

2 MARVIN JULIUS JACKSON (hereinafter referred to as
3 "Respondent") is presently licensed and/or has license rights
4 under the Real Estate Law (Part 1 of Division 4 of the Business
5 and Professions Code, hereinafter Code).

6 III

7 At all times herein mentioned, Respondent was licensed
8 by the Department of Real Estate of the State of California as a
9 real estate broker, dba AAA Mortgage Solutions.

10 IV

11 At all times herein mentioned, Respondent, on behalf of
12 others in expectation of compensation, engaged in the business,
13 acted in the capacity of, advertised or assumed to act as a real
14 estate broker in the State of California within the meaning of
15 Section 10131(d) of the Code, including soliciting borrowers and
16 lenders and negotiating loans on real property. Respondent
17 conducted his own escrows exempt from the provisions of the
18 Escrow Law by Section 17006(a)(4) of the Financial Code.

19 V

20 On or about November 19, 2007, the Department completed
21 an examination of Respondent's books and records, pertaining to
22 the activities described in Paragraph IV above, covering a period
23 from January 1, 2005, through March 31, 2007, which examination
24 revealed violations of the Code and of the California Code of
25 Regulations, Title 10, Chapter 6 (Regulations) as set forth
26 below.
27

1 VI

2 The examination described in Paragraph V above,
3 determined that, in connection with the activities described in
4 Paragraph IV above, Respondent accepted or received funds,
5 including funds in trust (hereinafter "trust funds") from or on
6 behalf of principals, and thereafter made deposit or disbursement
7 of such funds.

8 VII

9 In the course of activities described in Paragraphs IV
10 and VI and during the examination period described in Paragraph
11 V, Respondent acted in violation of the Code and the Regulations
12 as follows, and as more specifically set forth in Audit Report
13 Nos. LA 060131 and LA 060337 and related exhibits.

14 1. Violated Code Section 10145(a) and Regulation
15 2832.1 by maintaining as of March 31, 2004, a trust account
16 shortage of \$366.80 in one trust account.

17 2. Violated Regulation 2834 by allowing unlicensed
18 signatories on the trust accounts. There was no fidelity bond
19 coverage.

20 3. Violated Code Section 10240 by failing to provide
21 each borrower with the required Mortgage Loan Disclosure
22 Statement.

23 4. Violated Code Section 10161.8 by failing to notify
24 the Department of Real Estate when salespersons entered the
25 broker's employment.

1 5. Violated Regulation 2731 by using the unlicensed
2 fictitious business names Impire Mortgage and A Plus Mortgage in
3 the broker's real estate brokerage activities.

4 6. Violated Regulation 2725 by failing to maintain
5 written policies, rules, procedures, and systems to review,
6 oversee, inspect, and manage the activities conducted by the
7 broker.

8 VIII

9 The conduct of Respondent, as alleged above, subjects
10 his real estate licenses and license rights to suspension or
11 revocation pursuant to Sections 10177(d) and/or 10177(g) of the
12 Code.

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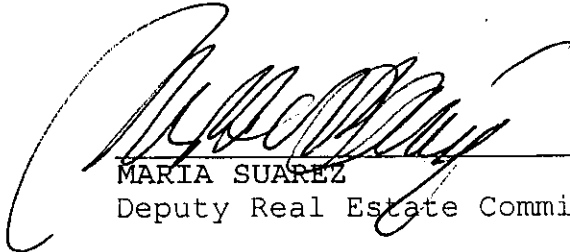
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondent
5 MARVIN JULIUS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

9 Dated at Los Angeles, California
10 this 4th day of June, 2008.

11
12
13 
14 MARIA SUAREZ
15 Deputy Real Estate Commissioner
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17
18
19
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21
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23

24 cc: Marvin Julius Jackson
25 Audit Section
26 Maria Suarez
27 Sacto