


40070  
1/24/09

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

**FILED**  
AUG 11 2009  
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-35305 LA  
12 SEASON'S LAND CORPORATION, ) L-2008 110 674  
13 CAPITAL HOLDINGS, INC., ) STIPULATION AND AGREEMENT  
14 and EDITH ABUDA SISON, )  
15 Respondents. )

16  
17 It is hereby stipulated by and between SEASON'S LAND  
18 CORPORATION, CAPITAL HOLDINGS, INC., and EDITH ABUDA SISON  
19 (sometimes referred to as Respondents), and their attorney Mary  
20 E. Work, and the Complainant, acting by and through James R.  
21 Peel, Counsel for the Department of Real Estate, as follows for  
22 the purpose of settling and disposing of the Accusation filed on  
23 September 12, 2008, in this matter.

24 1. All issues which were to be contested and all  
25 evidence which was to be presented by Complainant and  
26 Respondents at a formal hearing on the Accusation, which hearing  
27 was to be held in accordance with the provisions of the

1 Administrative Procedure Act ("APA"), shall instead and in place  
2 thereof be submitted solely on the basis of the provisions of  
3 this Stipulation and Agreement ("Stipulation").

4 2. Respondents have received, read and understand the  
5 Statement to Respondent, the Discovery Provisions of the  
6 Administrative Procedure Act ("APA") and the Accusation filed by  
7 the Department of Real Estate in this proceeding.

8 3. On September 25, 2008, Respondents filed a Notice  
9 of Defense pursuant to Section 11506 of the Government Code for  
10 the purpose of requesting a hearing on the allegations in the  
11 Accusation. Respondents hereby freely and voluntarily withdraw  
12 said Notice of Defense. Respondents acknowledge that they  
13 understand that by withdrawing said Notice of Defense they will  
14 thereby waive their right to require the Commissioner to prove  
15 the allegations in the Accusation at a contested hearing held in  
16 accordance with the provisions of the APA and that they will  
17 waive other rights afforded to them in connection with the  
18 hearing, such as the right to present evidence in defense of the  
19 allegations in the Accusation and the right to cross-examine  
20 witnesses.

21 4. This Stipulation is based on the factual  
22 allegations contained in the Accusation filed in this  
23 proceeding. In the interest of expedience and economy,  
24 Respondents choose not to contest these factual allegations, but  
25 to remain silent and understand that, as a result thereof, these  
26 factual statements, will serve as a prima facie basis for the  
27

1 disciplinary action stipulated to herein. The Real Estate  
2 Commissioner shall not be required to provide further evidence  
3 to prove such allegations.

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

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

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

DETERMINATION OF ISSUES

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

I

6                   The conduct, acts and/or omissions of Respondents  
7 SEASON'S LAND CORPORATION, CAPITAL HOLDINGS, INC. and EDITH  
8 ABUDA SISON, as set forth in the Accusation, constitute cause  
9 for the suspension or revocation of all of the real estate  
10 licenses and license rights of Respondents under the provisions  
11 of Section 10177(d) of the Business and Professions Code  
12 ("Code") for violation of Code Section 11018.2.  
13

ORDER

14                   The license and licensing rights of Respondents  
15 SEASON'S LAND CORPORATION, CAPITAL HOLDINGS, INC. and EDITH  
16 ABUDA SISON under the Real Estate Law are suspended for a period  
17 of sixty (60) days from the effective date of this Decision;  
18 provided, however, that sixty (60) days of said suspension shall  
19 be stayed for two (2) years upon the following terms and  
20 conditions:  
21

22                   1. Respondent shall obey all laws, rules and  
23 regulations governing the rights, duties and responsibilities of  
24 a real estate licensee in the State of California; and  
25

26                   2. That no final subsequent determination be made,  
27 after hearing or upon stipulation that cause for disciplinary

1 action occurred within two (2) years of the effective date of  
2 this Decision. Should such a determination be made, the  
3 Commissioner may, in his discretion, vacate and set aside the  
4 stay order and reimpose all or a portion of the stayed  
5 suspension. Should no such determination be made, the stay  
6 imposed herein shall become permanent.

7  
8  
9 DATED: June 24, 2009

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

10  
11 \* \* \*

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

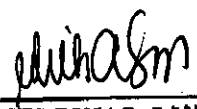
24 Respondents can signify acceptance and approval of the  
25 terms and conditions of this Stipulation and Agreement by faxing  
26 a copy of the signature page, as actually signed by Respondents,  
27 to the Department at the following telephone/fax number:

JUN-10-09 WED 12:46 PM

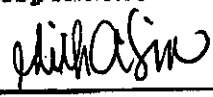
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

(213) 576-6917. Respondents agree, acknowledge and understand that by electronically sending to the Department a fax copy of his or her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

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

DATED: 6/11/09   
SEASON'S LAND CORPORATION  
Respondent

DATED: 6/11/09   
CAPITAL HOLDINGS, INC.  
Respondent

DATED: 6/11/09   
EDITH ABUDA SISON  
Respondent

DATED: 6/15/09   
MARY E. WORK  
Counsel for Respondents

1 (213) 576-6917. Respondents agree, acknowledge and understand  
2 that by electronically sending to the Department a fax copy of  
3 his or her actual signature as it appears on the Stipulation and  
4 Agreement, that receipt of the faxed copy by the Department  
5 shall be as binding on Respondent as if the Department had  
6 received the original signed Stipulation and Agreement.

7 Further, if the Respondent is represented, the  
8 Respondent's counsel can signify his or her agreement to the  
9 terms and conditions of the Stipulation and Agreement by  
10 submitting that signature via fax.

11  
12 DATED: \_\_\_\_\_ SEASON'S LAND CORPORATION  
13 Respondent

14 DATED: \_\_\_\_\_ CAPITAL HOLDINGS, INC.  
15 Respondent

16  
17 DATED: \_\_\_\_\_ EDITH ABUDA SISON  
18 Respondent

19 DATED: \_\_\_\_\_ MARY E. WORK  
20 Counsel for Respondents

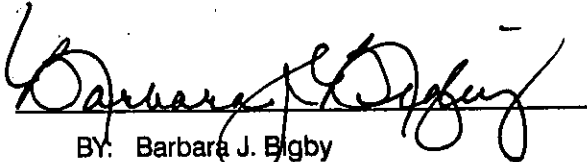
21  
22  
23  
24  
25  
26  
27

\* \* \*

1                    The foregoing Stipulation and Agreement is hereby  
2                    adopted as my Decision and Order in this matter, and shall  
3                    become effective at 12 o'clock noon on August 31, 2009  
4                    \_\_\_\_\_.

5                    IT IS SO ORDERED 7-2-09 \_\_\_\_\_.

6                    JEFF DAVI  
7                    Real Estate Commissioner

8                    

9                    BY: Barbara J. Bigby  
10                    Chief Deputy Commissioner

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



SACTO.  
1/14

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

**FILED**  
SEP 12 2008  
DEPARTMENT OF REAL ESTATE  
*[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

10  
11 In the Matter of the Accusation of ) No. H-35305 LA  
12 SEASON'S LAND CORPORATION, ) A C C U S A T I O N  
13 CAPITAL HOLDINGS, INC., )  
14 and EDITH ABUDA SISON, )  
Respondents. )

15  
16 The Complainant, Robin L. Trujillo, a Deputy Real  
17 Estate Commissioner of the State of California, for cause of  
18 Accusation against SEASON'S LAND CORPORATION, CAPITAL HOLDINGS,  
19 INC., and EDITH ABUDA SISON, alleges as follows:

I

20  
21 The Complainant, Robin L. Trujillo, acting in her  
22 official capacity as a Deputy Real Estate Commissioner of the  
23 State of California, makes this Accusation against SEASON'S LAND  
24 CORPORATION, CAPITAL HOLDINGS, INC., and EDITH ABUDA SISON.

II

25  
26 SEASON'S LAND CORPORATION, CAPITAL HOLDINGS, INC., and  
27 EDITH ABUDA SISON (hereinafter referred to as "Respondents") are

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

4 III

5 At all times mentioned herein, Respondents were  
6 licensed by the Department of Real Estate of the State of  
7 California as a real estate broker.

8 IV

9 Respondents are the owner or agent of the owner of a  
10 subdivision of real property within the meaning of Section 11000  
11 of the Code.

12 V

13 The subdivision is located in Tract No. 8228, San  
14 Bernardino County, State of California.

15 VI

16 During 2005 and 2006, Respondents offered for sale and  
17 sold to the public lots in the subdivision.

18 VII

19 Respondents violated Section 11018.2 of the Code by  
20 offering lots and parcels in the subdivision for sale or lease  
21 within the State of California without having first obtained a  
22 subdivision public report from the Department thereby subjecting  
23 their real estate license to suspension or revocation under Code  
24 Section 10177(d).

25 ///

26 ///

27 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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 SEASON'S LAND CORPORATION, CAPITAL HOLDINGS, INC., and EDITH ABUDA SISON 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 8 day of September, 2008.

  
ROBIN L. TRUJILLO  
Deputy Real Estate Commissioner

cc: Season's Land Corporation  
Capital Holdings, Inc.  
Edith Abuda Sison  
Robin L. Trujillo  
Sacto.