

Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

(213) 576-6982

FILED

OCT - 7 2009

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
MEI ZHENG,)
Respondent.)

NO. H-35982 LA
L-2009061283

STIPULATION AND AGREEMENT

It is hereby stipulated by and between MEI ZHENG
("Respondent") and the Complainant, acting by and through Julie L.
To, Counsel for the Department of Real Estate, as follows for the
purpose of settling and disposing of the Accusation filed on May
18, 2009, 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 ("Stipulation").

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 May 29, 2009, 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 she
10 understands that by withdrawing said Notice of Defense she will
11 thereby waive her right to require the Commissioner to prove
12 the allegations in the Accusation at a contested hearing held
13 in accordance with the provisions of the APA and that she will
14 waive other rights afforded to her in connection with the
15 hearing 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. 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.
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1 5. It is understood by the parties that the Real
2 Estate Commissioner may adopt the Stipulation as his Decision in
3 this matter thereby imposing the penalty and sanctions on
4 Respondent's real estate license and license rights as set forth
5 in the below "Order". In the event that the Commissioner in his
6 discretion does not adopt the Stipulation, the Stipulation shall
7 be void and of no effect, and Respondent shall retain the right
8 to a hearing on the Accusation under all the provisions of the
9 APA and shall not be bound by any stipulation or waiver made
10 herein.

11 6. The Order or any subsequent Order of the Real
12 Estate Commissioner made pursuant to this Stipulation shall not
13 constitute an estoppel, merger or bar to any further
14 administrative or civil proceedings by the Department of Real
15 Estate with respect to any conduct which was not specifically
16 alleged to be causes for accusation in this proceeding.

17 DETERMINATION OF ISSUES

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

23 The conduct of Respondent as set forth in the
24 Accusation constitutes cause for the suspension or revocation
25 of all the real estate licenses and license rights of
26 Respondent MEI ZHENG under the provisions of Sections 490 and
27 10177(b) of the Business and Professions Code.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent MEI ZHENG 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 Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate 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 licensee.

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or conditions attaching to the restricted license.

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
4 of a restricted license until two (2) years have elapsed from
5 the date of issuance of the restricted license to Respondent.

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 broker, a statement signed by the
9 prospective employing real estate broker on a form approved by
10 the Department of Real Estate which shall certify:

11 (a) That the employing broker has read the
12 Decision of the Commissioner which granted the right to a
13 restricted license; and

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

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

Respondent the opportunity for a hearing pursuant to the
Administrative Procedure Act to present such evidence.

DATED: 09-21-09

Julie L. To
JULIE L. TO
Counsel for the Department of
Real Estate

* * *

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

Respondent can signify acceptance and approval of the
terms and conditions of this Stipulation and Agreement by faxing
a copy of the signature page, as actually signed by Respondent,
to the Department at the following fax number: (213) 576-6917.
Respondent agrees, acknowledges and understands that by
electronically sending to the Department a fax copy of his
actual signature as it appears on the Stipulation and Agreement,
that receipt of the faxed copy by the Department shall be as

1 binding on Respondent as if the Department had received the
2 original signed Stipulation and Agreement.

3 DATED: 9/11/09


MEI ZHENG
Respondent

4 * * *

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6 The foregoing Stipulation and Agreement is hereby
7 adopted as my Decision in this matter, and shall become
8 effective at 12 o'clock noon on October 27, 2009.

9 IT IS SO ORDERED 9-30-09

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11 JEFF DAVI
Real Estate Commissioner

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JULIE L. TO, Counsel (SBN 219482)
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FILED

MAY 18 2009

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-35982 LA
MEI ZHENG,)
Respondent.)
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)
)

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against MEI ZHENG, ("Respondent"), alleges as follows:

1.

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

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson.

3.

On or about May 1, 2008, in the Superior Court of the State of California, County of Los Angeles, in Case No. 8JB01913, Respondent was convicted of violating California Penal Code Section 484(A) (petty theft), a misdemeanor. Respondent was sentenced to two years of probation, three days in jail (or one day of community labor), ordered to pay fines and restitution, and ordered to stay away from Costco stores.

4.

This conviction, by its facts and circumstances, bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

The crime of which Respondent was convicted constitutes cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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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, MEI ZHENG, 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 8th day of May, 2009.

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14 Maria Suarez
15 Deputy Real Estate Commissioner
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26 cc: MEI ZHENG
27 CBD Investment Inc.
 Maria Suarez
 Sacto.