

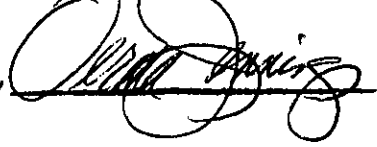
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1 Department of Real Estate
2 320 W. 4th St., Room 350
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

FILED
AUG 31 2010

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)
12)
13 LISA M. RIDING,)
14)
15 Respondent.)

No. H-36111 LA
L-2010 050 578

STIPULATION AND AGREEMENT

16
17 It is hereby stipulated by and between LISA M. RIDING
18 (sometimes referred to as Respondent), and her attorney, Vincent
19 R. Whittaker, and the Complainant, acting by and through James
20 R. Peel, Counsel for the Department of Real Estate, as follows
21 for the purpose of settling and disposing of the Accusation
22 filed on July 15, 2009, in this matter.

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

1 thereof be submitted solely on the basis of the provisions of
2 this Stipulation and Agreement ("Stipulation").

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

7 3. On July 29, 2009, Respondent filed a Notice of
8 Defense pursuant to Section 11506 of the Government Code for the
9 purpose of requesting a hearing on the allegations in the
10 Accusation. Respondent hereby freely and voluntarily withdraws
11 said Notice of Defense. Respondent acknowledges that she
12 understands that by withdrawing said Notice of Defense she will
13 thereby waive her right to require the Commissioner to prove the
14 allegations in the Accusation at a contested hearing held in
15 accordance with the provisions of the APA and that she will
16 waive other rights afforded to her in connection with the
17 hearing, such as the right to present evidence in defense of the
18 allegations in the Accusation and the right to cross-examine
19 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 license and license rights as set forth
14 in the below "Order". In the event that the Commissioner in his
15 discretion does not adopt the Stipulation, the Stipulation shall
16 be void and of no effect, and Respondent shall retain the right
17 to a hearing on the Accusation under all the provisions of the
18 APA and shall not be bound by any stipulation or waiver made
19 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.
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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 LISA M. RIDING, 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

Respondent, LISA M. RIDING, is hereby publicly reprov
ed.

DATED: Aug. 11, 2010

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

* * *

I have read the Stipulation and Agreement, and discussed it with my counsel, 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

1 Procedure Act (including but not limited to Sections 11506,
2 11508, 11509 and 11513 of the Government Code), and I willingly,
3 intelligently and voluntarily waive those rights, including the
4 right of requiring the Commissioner to prove the allegations in
5 the Accusation at a hearing at which I would have the right to
6 cross-examine witnesses against me and to present evidence in
7 defense and mitigation of the charges.

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

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

22
23 DATED: _____

LISA M. RIDING
Respondent

24
25
26 DATED: _____

Vincent R. Whittaker
Counsel for Respondent

1 Procedure Act (including but not limited to Sections 11506,
 2 11508, 11509 and 11513 of the Government Code), and I willingly,
 3 intelligently and voluntarily waive those rights, including the
 4 right of requiring the Commissioner to prove the allegations in
 5 the Accusation at a hearing at which I would have the right to
 6 cross-examine witnesses against me and to present evidence in
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 15 Agreement, that receipt of the faxed copy by the Department
 16 shall be as binding on Respondent as if the Department had
 17 received the original signed Stipulation and Agreement.

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

22
 23 DATED: July 30, 2010

Lisa M. Riding
 LISA M. RIDING
 Respondent

25
 26 DATED: August 5, 2010

Vincent R. Whittaker
 Vincent R. Whittaker
 Counsel for Respondent

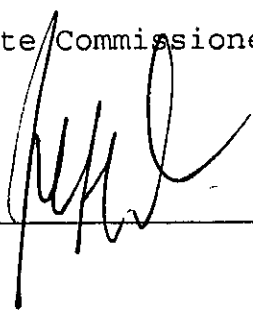
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* * *

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 August 17, 2010

IT IS SO ORDERED 9-17-2010

JEFF DAVI
Real Estate Commissioner



SAND

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

FILED
JUL 15 2009
DEPARTMENT OF REAL ESTATE
BY *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-36111 LA
12 LISA M. RIDING,) A C C U S A T I O N
13 Respondent.)
14

15 The Complainant, Phillip Ihde, a Deputy Real Estate
16 Commissioner of the State of California, for cause of accusation
17 against LISA M. RIDING, alleges as follows:

18 I

19 The Complainant, Phillip Ihde, acting in his official
20 capacity as a Deputy Real Estate Commissioner of the State of
21 California, makes this Accusation against LISA M. RIDING.

22 II

23 LISA M. RIDING (hereinafter referred to as
24 "Respondent") is presently licensed and/or has license rights
25 under the Real Estate Law (Part 1 of Division 4 of the Business
26 and Professions Code, hereinafter Code).

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III

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson licensed to and employed by real estate broker Keith Leroy Miller dba Sellers Choice Real Estate.

IV

On or about July 31, 2006 Respondent while performing acts requiring a real estate license negotiated the sale of real property at 13151 La Mesa, Desert Hot Springs, California, from John Phillips to Bradley Kevin and Beatrice Del Rosario Suzewitz.

V

After escrow closed Respondent collected her real estate commission check directly from the escrow company without her employing broker's knowledge or authorization.

VI

At no time did Respondent turn over to her broker the commission check she received from the escrow company.

VII


The conduct, acts and omissions of Respondent, as alleged above, subject her real estate license and license rights to suspension or revocation pursuant to Sections 10137, 10177(d), 10177(j) and/or 10177(g) of the Code.

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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 Respondent LISA M. RIDING 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 13TH day of JULY, 2009.



PHILLIP IHDE
Deputy Real Estate Commissioner

cc: Lisa M. Riding
Phillip Ihde
Sacto.