

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

FILED

JUL 13 2012

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-36157 LA

12 GOLDEN STATE CAPITAL GROUP INC.)

L-2011030363

13 doing business as Platinum One)

14 Real Estate Services;)

STIPULATION

15 RICHARD IRA SINDELL, individually)

AND

16 and as designated officer of)

AGREEMENT

17 Golden State Capital Group Inc.;)

18 MICHAEL HERRERA; and)

19 PEDRO VAZQUEZ,)

20 Respondents.)

21 It is hereby stipulated by and between Respondent PEDRO VAZQUEZ
22 (sometimes referred to as "Respondent"), represented by Eric Jimenez, Esq., and the
23 Complainant, acting by and through Elliott Mac Lennan, Counsel for the Department of Real
24 Estate, as follows for the purpose of settling and disposing of the First Amended Accusation
25 ("Accusation") filed on March 18, 2011, in this matter:

26 1. All issues which were to be contested and all evidence which was to be
27 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing

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

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

7 3. Respondent timely filed a Notice of Defense pursuant to Section 11506 of the
8 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
9 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
10 acknowledges that he understands that by withdrawing said Notice of Defense he thereby waives
11 his right to require the Commissioner to prove the allegations in the Accusation at a contested
12 hearing held in accordance with the provisions of the APA and that he will waive other rights
13 afforded to him in connection with the hearing such as the right to present evidence in his
14 defense and the right to cross-examine witnesses.

15 4. This Stipulation is based on the factual allegations contained in the Accusation.
16 In the interest of expedience and economy, Respondent chooses not to contest these allegations,
17 but to remain silent and understand that, as a result thereof, these factual allegations, without
18 being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to
19 herein. The Real Estate Commissioner shall not be required to provide further evidence to prove
20 said factual allegations.

21 5. This Stipulation is made for the purpose of reaching an agreed disposition of
22 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
23 which the Department of Real Estate ("Department"), the state or federal government, or any
24 agency of this state, another state or federal government is involved.

25 6. It is understood by the parties that the Real Estate Commissioner may adopt
26 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
27 Respondent's real estate license and license rights as set forth in the "Order" herein below. In the

1 event that the Commissioner in the Commissioner's discretion does not adopt the Stipulation, it
2 shall be void and of no effect and Respondent shall retain the right to a hearing and proceeding
3 on the Accusation under the provisions of the APA and shall not be bound by any stipulation or
4 waiver made herein.

5 7. The Order or any subsequent Order of the Real Estate Commissioner made
6 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
7 administrative or civil proceedings by the Department of Real Estate with respect to any matters
8 which were not specifically alleged to be causes for Accusation in this proceeding but do
9 constitute a bar, estoppel and merger as to any allegations actually contained in the Accusations
10 against Respondent herein.

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12 DETERMINATION OF ISSUES

13 By reason of the foregoing, it is stipulated and agreed that the following
14 determination of issues shall be made:

15 I.

16 The conduct, acts or omissions of PEDRO VASQUEZ, as described in Paragraph
17 4, herein above, are in violation of Code Sections 10130 and 10137 and is a basis for discipline
18 of Respondent's license and license rights as violation of the Real Estate Law pursuant to Code
19 Sections 10177(d) and 10177(g).

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2 ORDER

3 WHEREFORE, THE FOLLOWING ORDER is hereby made:

4 I.

5 The real estate salesperson license of Respondent PEDRO VASQUEZ, under the
6 Real Estate Law is revoked; provided, however, a restricted real estate salesperson license shall
7 be issued to Respondent, pursuant to Section 10156.5 of the Business and Professions Code, if
8 Respondent:

9 Makes application therefor and pays to the Department of Real Estate the
10 appropriate fee for the restricted license within ninety (90) days from the effective date of this
11 Decision. The restricted license issued to Respondent shall be subject to all of the provisions of
12 Section 10156.7 of the Code and the following limitations, conditions and restrictions imposed
13 under authority of Section 10156.6 of that Code.

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

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

23 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
24 real estate license nor for the removal of any of the conditions, limitations or restrictions of a
25 restricted license until two (2) years has elapsed from the effective date of the issuance of the
26 restricted license.

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

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

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

5. Respondent shall, within nine (9) months from the effective date of this
Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of Respondent's license until Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

6. Respondent shall within six (6) months from the effective date of the Decision herein, take and pass the Professional Responsibility Examination administered by the Department including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order suspension of Respondent's license until Respondent passes the examination. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

DATED: 5-24-12

ELLIOTT MAC LENNAN, Counsel for
Department of Real Estate

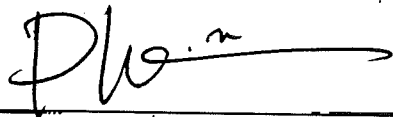
received
May 16, 2012

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

8 Respondent (1) shall mail or email the original signed signature page of the
9 stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate,
10 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondent shall also (2)
11 facsimile a copy of signed signature page, to the Department at the following telephone/fax
12 number: (213) 576-6917, Attention: Elliott Mac Lennan.
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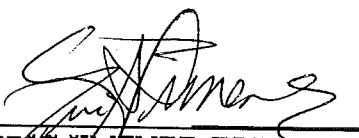
14 A facsimile or email constitutes acceptance and approval of the terms and
15 conditions of this stipulation. Respondent agrees, acknowledges and understands that by
16 electronically sending to the Department a facsimile copy of Respondent's actual signature as it
17 appears on the stipulation that receipt of the email or facsimile copy by the Department shall be
18 as binding on Respondent as if the Department had received the original signed stipulation.
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22 DATED: 5.16.12


PEDRO VASQUEZ, Respondent,

(PV)

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25 DATED: 19 May 2012

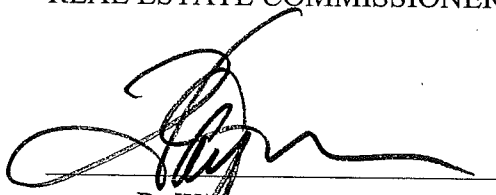

ERIC JIMENEZ, ESQ.
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
Respondent PEDRO VASQUEZ, and shall become effective at 12 o'clock noon on
August 02, 2012.

IT IS SO ORDERED July 2, 2012.

REAL ESTATE COMMISSIONER


By WAYNE S. BELL
Chief Counsel