

1 Department of Real Estate  
320 West Fourth Street, #350  
2 Los Angeles, California 90013

**FILED**

MAY 23 2012

3 (213) 576-6982  
4 (213) 576-6914

DEPARTMENT OF REAL ESTATE  
BY: C.A.

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11	In the Matter of the Accusation of )	NO. H-37412 LA
	)	L-2011101046
12	MONSTER MORTGAGE and )	
13	CELIA AZUCENA CENTENO, )	<u>STIPULATION AND AGREEMENT</u>
14	individually and as former )	
15	designated officer of Monster )	
16	Mortgage, )	
	)	
	Respondents. )	
	)	
17	)	

18 It is hereby stipulated by and between MONSTER  
19 MORTGAGE and CELIA AZUCENA CENTENO ("Respondents") and the  
20 Complainant, acting by and through Lissete Garcia, Counsel for  
21 the Department of Real Estate, as follows for the purpose of  
22 settling and disposing of the Accusation filed on July 28, 2011,  
23 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.

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

8           3. Respondents filed Notices of Defense pursuant to  
9 Section 11506 of the Government Code for the purpose of  
10 requesting a hearing on the allegations in the Accusation.  
11 Respondents hereby freely and voluntarily withdraw said Notices  
12 of Defense. Respondents acknowledge that they understand that  
13 by withdrawing said Notices of Defense they will thereby waive  
14 their 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 they will waive other rights  
17 afforded to them 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. Respondents, pursuant to the limitations set forth  
21 below, hereby admit that the factual allegations of the  
22 Accusation filed in this proceeding are true and correct and the  
23 Real Estate Commissioner shall not be required to provide  
24 further evidence of such allegations.

25           5. This Stipulation and Respondents' decision not to  
26 contest the Accusation are made for the purpose of reaching an  
27 agreed disposition of this proceeding and are expressly limited

1 to this proceeding and any other proceeding or case in which the  
2 Department of Real Estate ("Department"), or another licensing  
3 agency of this state, another state or if the federal government  
4 is involved and otherwise shall not be admissible in any other  
5 criminal or civil proceedings.

6           6. It is understood by the parties that the Real  
7 Estate Commissioner may adopt the Stipulation and Agreement as  
8 her Decision in this matter, thereby imposing the penalty and  
9 sanctions on Respondents' real estate licenses and license  
10 rights as set forth in the below "Order". In the event that the  
11 Commissioner in her discretion does not adopt the Stipulation  
12 and Agreement, it shall be void and of no effect, and  
13 Respondents shall retain the right to a hearing and proceeding  
14 on the Accusation under all the provisions of the APA and shall  
15 not be bound by any admission or waiver made herein.

16           7. The Order or any subsequent Order of the Real  
17 Estate Commissioner made pursuant to this Stipulation and  
18 Agreement shall not constitute an estoppel, merger or bar to any  
19 further administrative or civil proceedings by the Department of  
20 Real Estate with respect to any matters which were not  
21 specifically alleged to be causes for accusation in this  
22 proceeding.

23           8. Respondents MONSTER MORTGAGE and CELIA AZUCENA  
24 CENTENO understand that by agreeing to this Stipulation, they  
25 agree to pay, pursuant to Business and Professions Code Section  
26 10148, the cost of audit which led to this disciplinary action.  
27 The amount of said cost for the audit is \$10,545.



1 II

2 The overall conduct of Respondent CELIA AZUCENA  
3 CENTENO constitutes a failure on her part, as officer designated  
4 by a corporate broker licensee, to exercise the reasonable  
5 supervision and control over the licensed activities of MONSTER  
6 MORTGAGE as required by Code Section 10159.2, and to keep  
7 MONSTER MORTGAGE in compliance with the Real Estate Law, and is  
8 cause for the suspension or revocation of the real estate  
9 license and license rights of CELIA AZUCENA CENTENO pursuant to  
10 the provisions of Code Section 10177(h).

11 ORDER

12 WHEREFORE, THE FOLLOWING ORDER is hereby made:

13 I

14 All licenses and licensing rights of Respondent  
15 MONSTER MORTGAGE, under the Real Estate Law are revoked;  
16 provided, however, a restricted real estate broker license shall  
17 be issued to Respondent pursuant to Section 10156.5 of the  
18 Business and Professions Code if Respondent makes application  
19 therefor and pays to the Department of Real Estate the  
20 appropriate fee for the restricted license within 90 days from  
21 the effective date of this Decision. The restricted license  
22 issued to Respondent shall be subject to all of the provisions  
23 of Section 10156.7 of the Business and Professions Code and to  
24 the following limitations, conditions and restrictions imposed  
25 under authority of Section 10156.6 of that Code:

26 1. The restricted license issued to Respondent  
27 MONSTER MORTGAGE may be suspended prior to hearing by Order of

1 the Real Estate Commissioner in the event of Respondent's  
2 conviction or plea of nolo contendere to a crime which is  
3 substantially related to Respondent's fitness or capacity as a  
4 real estate licensee.

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

12 3. Respondent shall not be eligible to apply for the  
13 issuance of an unrestricted real estate license nor for the  
14 removal of any of the conditions, limitations or restrictions  
15 of a restricted license until two (2) years have elapsed from  
16 the date of issuance of the restricted license to Respondent.

17 4. Pursuant to Section 10148 of the Business and  
18 Professions Code, Respondent MONSTER MORTGAGE shall pay the  
19 Commissioner's reasonable cost for (a) the audit which led to  
20 this disciplinary action and (b) a subsequent audit, if one is  
21 completed, to determine if Respondent MONSTER MORTGAGE is now in  
22 compliance with the Real Estate Law. The cost of the audit  
23 which led to this disciplinary action is \$10,545. In  
24 calculating the amount of the Commissioner's reasonable cost,  
25 the Commissioner may use the estimated average hourly salary for  
26 all persons performing audits of real estate brokers, and shall  
27 include an allocation for travel time to and from the auditor's

1 place of work. Said amount for the prior and subsequent audits  
2 shall not exceed \$10,545 each.

3 Respondent MONSTER MORTGAGE shall pay such cost within  
4 60 days of receiving an invoice from the Commissioner detailing  
5 the activities performed during the audit and the amount of time  
6 spent performing those activities.

7 The Commissioner may suspend the license of Respondent  
8 MONSTER MORTGAGE pending a hearing held in accordance with  
9 Section 11500, et seq., of the Government Code, if payment is  
10 not timely made as provided for herein, or as provided for in a  
11 subsequent agreement between the Respondent MONSTER MORTGAGE and  
12 the Commissioner. The suspension shall remain in effect until  
13 payment is made in full or until Respondent MONSTER MORTGAGE  
14 enters into an agreement satisfactory to the Commissioner to  
15 provide for payment, or until a decision providing otherwise is  
16 adopted following a hearing held pursuant to this condition.

17 II

18 All licenses and licensing rights of Respondent CELIA  
19 AZUCENA CENTENO, under the Real Estate Law are revoked;  
20 provided, however, a restricted real estate broker license shall  
21 be issued to Respondent pursuant to Section 10156.5 of the  
22 Business and Professions Code if Respondent makes application  
23 therefor and pays to the Department of Real Estate the  
24 appropriate fee for the restricted license within 90 days from  
25 the effective date of this Decision. The restricted license  
26 issued to Respondent shall be subject to all of the provisions  
27 of Section 10156.7 of the Business and Professions Code and to

1 the following limitations, conditions and restrictions imposed  
2 under authority of Section 10156.6 of that Code:

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

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

15 3. Respondent shall not be eligible to apply for the  
16 issuance of an unrestricted real estate license nor for the  
17 removal of any of the conditions, limitations or restrictions  
18 of a restricted license until two (2) years have elapsed from  
19 the date of issuance of the restricted license to Respondent.

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



1 suspension of the restricted license until the Respondent  
2 presents such evidence. The Commissioner shall afford  
3 Respondent the opportunity for a hearing pursuant to the  
4 Administrative Procedure Act to present such evidence.

5 5. Respondent CELIA AZUCENA CENTENO shall, within six  
6 (6) months from the effective date of the Decision, take and  
7 pass the Professional Responsibility Examination administered by  
8 the Department including the payment of the appropriate  
9 examination fee. If Respondent fails to satisfy this condition,  
10 the Commissioner may order suspension of Respondent's license  
11 until Respondent passes the examination.

12 6. Respondent shall, prior to and as a condition of  
13 the issuance of the restricted license, submit proof  
14 satisfactory to the Commissioner of having taken and  
15 successfully completed the continuing education course on trust  
16 fund accounting and handling specified in subdivision (a) of  
17 Section 10170.5 of the Business and Professions Code. Proof of  
18 satisfaction of this requirement includes evidence that  
19 Respondent has successfully completed the trust fund account and  
20 handling continuing education course within 120 days prior to  
21 the effective date of the Decision in this matter.

22 DATED: April 27, 2012

Lisette Garcia  
LISSETE GARCIA Counsel for Complainant


23 \* \* \*

24 We have read the Stipulation and Agreement and its  
25 terms are understood by us and are agreeable and acceptable to  
26 us. We understand that we are waiving rights given to us by the  
27

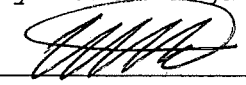
1 California Administrative Procedure Act (including but not  
2 limited to Sections 11506, 11508, 11509 and 11513 of the  
3 Government Code), and we willingly, intelligently and  
4 voluntarily waive those rights, including the right of requiring  
5 the Commissioner to prove the allegations in the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

9  
10 Respondents can signify acceptance and approval of the  
11 terms and conditions of this Stipulation and Agreement by faxing  
12 a copy of the signature page, as actually signed by Respondents,  
13 to the Department at the following fax number: (213) 576-6917.  
14 Respondents agree, acknowledge and understand that by  
15 electronically sending to the Department a fax copy of their  
16 actual signatures as they appear on the Stipulation and  
17 Agreement, that receipt of the faxed copy by the Department  
18 shall be as binding on Respondents as if the Department had  
19 received the original signed Stipulation and Agreement.  
20

21 DATED: 3-29-2012

  
MONSTER MORTGAGE  
By Duke Dulgarian, President

22  
23  
24 DATED: 4-20-2012

  
CELIA AZUCENA CENTENO  
Respondent

25  
26  
27 \* \* \*

1            The foregoing Stipulation and Agreement is hereby  
2 adopted as my Decision in this matter and shall become effective  
3 at 12 o'clock noon on June 22, 2012.

4            IT IS SO ORDERED

May 21, 2012

5  
6            Real Estate Commissioner

7  
8            

9            By WAYNE S. BELL  
10            Chief Counsel