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	1 2	Department of Real Estate 320 West Fourth Street, #350 Los Angeles, California 90013 AUG 15 2012
	3	DEPARTMENT OF REAL ESTATE
	4	BY: duovalyc Nalenia
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	8	BEFORE THE DEPARTMENT OF REAL ESTATE
	9	STATE OF CALIFORNIA
	10	* * *
	11	In the Matter of the Accusation of
	12	L-2011090565
	13	HOME RETENTION AND FINANCIAL ) PROGRAMS INC, dba J L Richman and Associates ) STIPULATION AND
	14	Co, WINSTON CHI, JONATHAN ARNO and AGREEMENT
	15	MICHAEL JEFFREY SIMPSON, individually, and ) as designated officers of Home Retention and
	16	Financial Programs Inc, <u>LLOYDS INVESTMENT</u> ) INC, and HAMID REZA LAVASSANI,
	17	individually, and as designated officer of Lloyds Investment Inc and ERNESTO GALINATO
	18	CARDENAS,
	19	Respondents.
	20	j
	21	It is hereby stipulated by and between LLODYS INVESTMENT INC and
	22	HAMID REZA LAVASSANI, and the Complainant, acting by and through James A. Demus,
	23	Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing
	24	of the Accusation filed on August 9, 2011 in this matter:
	25	1. All issues which were to be contested and all evidence which was to be
	26	presented by Complainant and Respondents at a formal hearing on the Accusation, which
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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.

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

7 3. On August 19, 2011, Respondents filed Notices of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the 8 9 allegations in the Accusation. In order to effectuate this settlement, Respondents hereby freely 10 and voluntarily withdraw said Notices of Defense. Respondents acknowledge that they 11 understands that by withdrawing said Notices of Defense, they will thereby waive their right to 12 require the Commissioner to prove the allegations in the Accusation at a contested hearing held 13 in accordance with the provisions of the APA and that they will waive other rights afforded to 14 them in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses. 15

4. Respondents, pursuant to the limitations set forth below, although not
admitting or denying the truth of the allegations, will not contest the factual allegations
contained in the Accusation filed in this proceeding and the Real Estate Commissioner shall
not be required to provide further evidence of such allegations.

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

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1	6. The Order or any subsequent Order of the Real Estate Commissioner
2	made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar
3	to any further administrative proceedings by the Department of Real Estate with respect to any
4	matters which were not specifically alleged to be causes for accusation in this proceeding.
5	7. This Stipulation and Respondents' decision not to contest the Accusation
6	are made for the purpose of reaching an agreed disposition of this proceeding, and are expressly
7	limited to this proceeding and any other proceeding or case in which the Department of Real
8	Estate ("Department"), or another licensing agency of this state, another state, or of the federal
9	government is involved, and otherwise shall not be admissible in any other criminal or civil
10	proceedings.
11	DETERMINATION OF ISSUES
12	By reason of the foregoing stipulations and waivers and solely for the purpose of
13	settlement of the pending Accusation without a hearing, it is stipulated and agreed that the
14	following Determination of Issues shall be made:
15	The conduct, acts or omissions of Respondents LLODYS INVESTMENT INC
16	and HAMID REZA LAVASSANI, as set forth in the Accusation, are in violation of Business
17	and Professions Code ("Code") Section 10085 and constitute cause to suspend or revoke the
18	real estate license and licensing rights of Respondents LLODYS INVESTMENT INC and
19	HAMID REZA LAVASSANI under the provisions of Code Sections 10177(d) and 10177(g).
20	ORDER
21	WHEREFORE, THE FOLLOWING ORDER is hereby made:
22	I.
23	All licenses and licensing rights of Respondent LLODYS INVESTMENT INC
24	under the Real Estate Law are suspended for a period of sixty (60) days from the effective date
25	of this Decision; provided, however, that sixty (60) days of said suspension, shall be stayed for
26	two (2) years upon the following terms and conditions:
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1	1. Respondent shall obey all laws, rules and regulations governing the rights,	
2	duties and responsibilities of a real estate licensee in the State of California; and	
3	2. That no final subsequent determination be made, after hearing or upon	
4	stipulation that cause for disciplinary action occurred within two (2) years of the effective date of	
5	this Decision. Should such a determination be made, the Commissioner may, in her discretion,	
6	vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should	
7	no such determination be made, the stay imposed herein shall become permanent.	
8	II.	
9	Respondent LLOYDS INVESTMENT INC shall, within six (6) months from the	
10	effective of the Decision herein, provide proof satisfactory to the Commissioner that restitution	
11	has been paid as follows: \$3,190 to Reza Samadi and \$3095 to Alireza Bayatoni. If Respondent	
12	LLOYDS INVESTMENT INC fails to satisfy this condition, the Commissioner may order	
13	suspension of Respondent's license until Respondent provides proof satisfactory to the	
14	Commissioner.	
15	III.	
15	III.	
15 16	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI	
15 16 17 18	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI under the Real Estate Law are suspended for a period of sixty (60) days from the effective date	
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15 16 17 18 19	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension, shall be stayed for two (2) years upon the following terms and conditions:	
15 16 17 18 19 20	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension, shall be stayed for two (2) years upon the following terms and conditions: 1. Respondent shall obey all laws, rules and regulations governing the rights,	
15 16 17 18 19 20 21	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension, shall be stayed for two (2) years upon the following terms and conditions: 1. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and	
15 16 17 18 19 20 21 22	III. All licenses and licensing rights of Respondent HAMID REZA LAVASSANI under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision; provided, however, that sixty (60) days of said suspension, shall be stayed for two (2) years upon the following terms and conditions: 1. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and 3. That no final subsequent determination be made, after hearing or upon	
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1	IV.	
2	Respondent HAMID REZA LAVASSANI shall, within six (6) months from the	
3	effective of the Decision herein, provide proof satisfactory to the Commissioner that restitution	
4	has been paid as follows: \$3,190 to Reza Samadi and \$3095 to Alireza Bayatoni. If Respondent	
5	LLOYDS INVESTMENT INC fails to satisfy this condition, the Commissioner may order	
6	suspension of Respondent's license until Respondent provides proof satisfactory to the	
7	Commissioner.	
6	ν.	
9	All proof of payment shall be submitted to Department Counsel James A. Demus,	
10	Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles,	
11	California 90013-1105, on or before the dates set forth herein.	
12		
13	$\Lambda$	
14	DATED: 5/17/12 (DEMIS ) DATED: 5/17/12 (DEMIS )	
15	Counsel for Complainant	
16	***	
17	I have read the Stipulation and discussed it with my counsel. Its terms are	
18	understood by me and are agreeable and acceptable to me. I understand that I am waiving rights	
19	given to me by the California Administrative Procedure Act (including but not limited to	
20	Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently	
21	and voluntarily waive those rights, including the right of requiring the Commissioner to prove the	
22	allegations in the First Amended Accusation at a hearing at which I would have the right to	
23	cross-examine witnesses against me and to present evidence in defense and mitigation of the	
24	charges.	
25	Respondents can signify acceptance and approval of the terms and conditions of	
26	this Stipulation by faxing a copy of the signature page, as actually signed by Respondents, to the	
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1	Department at the following telephone/fax number: James A. Denus at (213) 576-6917.
2	Respondents agree, acknowledge and understand that by electronically sending to the Department
3	a fax copy of Respondent's actual signature as it appears on the Stipulation, that receipt of the
4	faxed copy by the Department shall be as binding on Respondents as if the Department had
5	received the original signed Stipulation.
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7	DATED: 5/14/2012 Hand K. Janan
9	HAMID REZA LAVASBANI, individually, and as designated officer of LLOYDS INVESTMENT
9	INC.
10	
11	EIEID Ful I A. I
12	DATED:
13	Attorney for Respondents
14	
15	***
16	The foregoing Stipulation and Agreement is hereby adopted as my Decision in
17	this matter and shall become effective at 12 o'clock noon on
18	
19	· c / c / ano
20	IT IS SO ORDERED $6/6/207$
21	Real Estate Compaissioner
22	ATTO -
23	By WAYAYE S. BELL
24	Chief Counsel
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1	Department at the following telephone/fax number: James A. Demus at (213) 576-6917.
2	Respondents agree, acknowledge and understand that by electronically sending to the Department
3	a fax copy of Respondent's actual signature as it appears on the Stipulation, that receipt of the
4	faxed copy by the Department shall be as binding on Respondents as if the Department had
5	received the original signed Stipulation.
6	
7	DATED:
8	HAMID REZA LAVASSANI, individually, and as designated officer of LLOYDS INVESTMENT
9	INC.
10	
11	
12	DATED: FRANK M. BUDA
13	Attorney for Respondents
14	
15	* * *
16	The foregoing Stipulation and Agreement is hereby adopted as my Decision in
17	this matter and shall become effective at 12 o'clock noon on SEP 0 4 2012
18	this matter and shall become effective at 12 0 clock hoon on
19	ch la
20	IT IS SO ORDERED 6/6/2012.
21	Real Estate Commissioner
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	2		DEPARTMENT OF REAL ESTATE
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	8	BEFORE THE DEPARTMENT O	F REAL ESTATE
	9	STATE OF CALIFO	DRNIA
	10	* * *	
	11	In the Matter of the Accusation of	NO. H-37434 LA 2011090565
	12	HOME RETENTION AND FINANCIAL	
	13	PROGRAMS INC, dba J L Richman and Associates Co, WINSTON CHI,	
	14	JONATHAN ARNO and MICHARL JEFFREY SIMPSON, individually, and as	
	15	designated officers of Home Retention and Financial Programs	
	16	Inc, LLOYDS INVESTMENT INC, and HAMID REZA LAVASSANI, individually,	
	17	and as designated officer of Lloyds Investment Inc and ERNESTO GALINATO	-
	18	CARDENAS,	
	19	Respondents.	
	20	ORDER ACCEPTING VOLUNTARY SURRENDE	R OF REAL ESTATE LICENSE
	21	August 9, 2011, an Accusatio	on was filed in this matter
	22	against Respondent HOME RETENTION AND	FINANCIAL PROGRAMS INC.
	23	On May 9, 2012, Respondent H	HOME RETENTION AND FINANCIAL
	24	PROGRAMS INC petitioned the Commission	ner to voluntarily surrender
	25	its corporate real estate broker licer	nse pursuant to Section
	26	10100.2 of the Business and Profession	ns Code.
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1	IT IS HEREBY ORDERED that Respondent HOME RETENTION AND	
2	FINANCIAL PROGRAMS INC's petition for voluntary surrender of its	
3	corporate real estate broker license is accepted as of the	
4	effective date of this Order as set forth below, based upon the	S.
5	understanding and agreement expressed in Respondent's Declaration	
6	dated May 9, 2012, (attached as Exhibit "A" hereto).	
7	Respondent's license certificate(s), pocket card(s) and any	
8	branch office license certificate(s) shall be sent to the below	
9	listed address so that they reach the Department on or before the	
10	effective date of this Order:	
11	Department of Real Estate	
12	Atten: Licensing Flag Section P.O. Box 187000	
13	Sacramento, CA 95818-7000	
14	This Order shall become effective at 12 o'clock noon	
15	SEP 0 4 2012	
16	Tule ( 2012	
17	DATED: VONC 6, OUTO.	
18	Real Estate Commissioner	
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21	By WAYNES. BELL Chief Counsel	
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	"EXHIBIT <u>A</u> "
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7	BEFORE THE DEPARTMENT OF REAL ESTATE
8	STATE OF CALIFORNIA
9	* * *
10	In the Matter of the Accusation of () NO. H-37434 LA ) 2011090565
11	HOME RETENTION AND FINANCIAL )
12	PROGRAMS INC, dba J L Richman and ) Associates Co, WINSTON CHI,
13	JONATHAN ARNO and MICHARL JEFFREY ) SIMPSON, individually, and as
14	designated officers of Home Retention and Financial Programs
15	Inc, LLOYDS INVESTMENT INC, and () HAMID REZA LAVASSANI, individually, (
16 17	and as designated officer of Lloyds ; Investment Inc and ERNESTO GALINATO ; CARDENAS,
18	Respondents
19	DECLARATION
20	My name is Jim Richman. I am an officer of HOME
21	RETENTION AND FINANCIAL PROGRAMS INC, licensed real estate
22	broker. I am authorized and empowered to sign this declaration
23	on behalf of HOME RETENTION AND FINANCIAL PROGRAMS INC.
24	HOME RETENTION AND FINANCIAL PROGRAMS INC is
25	represented by Timothy L. McCandless, Attorney at Law, in this
26	matter.
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In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) HOME RETENTION AND FINANCIAL PROGRAMS INC wishes to voluntarily surrender its real estate license, issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

<sup>8</sup> I understand that HOME RETENTION AND FINANCIAL PROGRAMS
<sup>9</sup> INC, by so voluntarily surrendering its license, can only have it
<sup>10</sup> reinstated in accordance with the provisions of Section 11522 of
<sup>11</sup> the Government Code. I also understand that by so voluntarily
<sup>12</sup> surrendering its license, HOME RETENTION AND FINANCIAL PROGRAMS
<sup>13</sup> INC agrees to the following:

14 The filing of this Declaration shall be deemed as its 15 petition for voluntary surrender. It shall also be deemed to be 16 an understanding and agreement by HOME RETENTION AND FINANCIAL 17 PROGRAMS INC that, it waives all rights it has to require the 18 Commissioner to prove the allegations contained in the Accusation 19 filed in this matter at a hearing held in accordance with the 20 provisions of the Administrative Procedure Act (Government Code 21 Sections 11400 et seq.), and that it also waives other rights 22 afforded to it in connection with the hearing such as the right 23 to discovery, the right to present evidence in defense of the 24 allegations in the Accusation and the right to cross-examine 25 I further agree on behalf of HOME RETENTION AND witnesses. 26 FINANCIAL PROGRAMS INC that upon acceptance by the Commissioner, 27 as evidenced by an appropriate order, all affidavits and all

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relevant evidence obtained by the Department in this matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-37434 LA, may be considered by the Department to be true and correct for the purpose of deciding whether or not to grant reinstatement of HOME RETENTION AND FINANCIAL PROGRAMS INC's license(s) pursuant to Government Code Section 11522.

A copy of the Commissioner's Criteria of Rehabilitation 8 is attached hereto. If and when a petition application is made 9 for reinstatement of a surrendered license or endorsement, the 10 Real Estate Commissioner will consider as one of the criteria of 11 rehabilitation, whether or not restitution has been made to any 12 person who has suffered monetary losses through "substantially 13 related" acts or omissions of Respondent(s), whether or not such 14 15 persons are named in the investigation file in this case.

16 I further agree on behalf of HOME RETENTION AND 17FINANCIAL PROGRAMS INC to pay the Commissioner's reasonable cost 18 for the audit which led to this action. In calculating the 19 amount of the Commissioner's reasonable cost, the Commissioner 20 may use the estimated average hourly salary for all persons 21 performing audits of real estate brokers, and shall include an 22 allocation for travel time to and from the auditor's place of 23 work. I will pay such cost within 60 days of receiving an  $\mathbf{24}$ invoice from the Commissioner detailing the activities performed 25 during the audit and the amount of time spent performing those 26 activities.

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-	I am aware that if HOME RETENTION AND FINANCIAL
1	PROGRAMS INC petitions for reinstatement in the future, that
2	payment of the audit costs will be a condition of reinstatement.
4	I declare under penalty of perjury under the laws of
5	the State of California that the above is true and correct and
6	that I am acting freely and voluntarily on behalf of HOME
7	RETENTION AND FINANCIAL PROGRAMS INC. to surrender its license
8	and all license rights attached thereto.
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11	Date and Place HOME RETENTION AND FINANCIAL
12	PROGRAMS INC, by JIM RICHMAN
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I am aware that if HOME RETENTION AND FINANCIAL 1 PROGRAMS INC petitions for reinstatement in the future, that 2 payment of the audit costs will be a condition of reinstatement. 3 I declare under penalty of perjury under the laws of 4 the State of California that the above is true and correct and 5 that I am acting freely and voluntarily on behalf of HOME Ş RETENTION AND FINANCIAL PROGRAMS INC. to surrender its license 7 and all license rights attached thereto. 8 9 10 -colos 11 and Place HOME RETENTION AND FINANCIAL 12 PROGRAMS INC, by JIM RICHMAN 13 14 15 16 17 . 18 19 20 21 22 23 24 25 26 27 ʻd 6246 'ON RICHMAN AND ASSOCIATES W942:I 9, 2017 .YAM ç :əɓey 66/6/96926:WONA /TEOO/C /CT2\