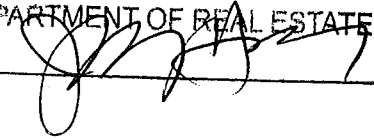


1 Department of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013

FILED

MAY 24 2012

3 (213) 576-6982

4 DEPARTMENT OF REAL ESTATE
5 BY: 

6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-37662 LA
12 MARLENE SANSUR,) OAH No. 2011121004
13 Respondent.)
14) STIPULATION AND AGREEMENT
15)

16 It is hereby stipulated by and between
17 MARLENE SANSUR (hereinafter "Respondent") and her attorney,
18 Scott J. Harris, and the Complainant, acting by and through
19 Julie L. To, Counsel for the Department of Real Estate, as
20 follows for the purpose of settling and disposing of the
21 Accusation filed on November 10, 2011, in this matter:

22
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 was to be
26 held in accordance with the provisions of the Administrative
27

1 Procedure Act (APA), shall instead and in place thereof be
2 submitted solely on the basis of the provisions of this
3 Stipulation and Agreement.

4 2. Respondent has received, read and understands 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. On November 22, 2011, Respondent filed a Notice of
9 Defense pursuant to Section 11506 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 Accusation. Respondent hereby freely and voluntarily withdraws
12 said Notice of Defense. Respondent acknowledges that she
13 understands that by withdrawing said Notice of Defense she will
14 thereby waive his right to require the Commissioner to prove the
15 allegations in the Accusation at a contested hearing held in
16 accordance with the provisions of the APA and that she will
17 waive other rights afforded to her in connection with the
18 hearing such as the right to present evidence in defense of the
19 allegations in the Accusation and the right to cross-examine
20 witnesses.
21

22 4. Respondent, pursuant to the limitations set forth
23 below, hereby admits that the factual allegations of the
24 Accusation filed in this proceeding are true and correct and the
25 Real Estate Commissioner shall not be required to provide
26 further evidence of such allegations.
27

1 provisions of Sections 490 and 10177(b) of the Business and
2 Professions Code.

3 ORDER

4 WHEREFORE, THE FOLLOWING ORDER is hereby made:

5 All licenses and licensing rights of Respondent
6 MARLENE SANSUR under the Real Estate Law are revoked; provided,
7 however, a restricted real estate salesperson license shall be
8 issued to Respondent pursuant to Section 10156.5 of the Business
9 and Professions Code if Respondent makes application therefor
10 and pays to the Department of Real Estate the appropriate fee
11 for the restricted license within 90 days from the effective
12 date of this Decision. The restricted license issued to
13 Respondent shall be subject to all of the provisions of Section
14 10156.7 of the Business and Professions Code and to the
15 following limitations, conditions and restrictions imposed under
16 authority of that Code:

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

23 2. The restricted license issued to Respondent may be
24 suspended prior to hearing by Order of the Real Estate
25 Commissioner on evidence satisfactory to the Commissioner that
26 Respondent has violated provisions of the California Real Estate
27

1 Law, the Subdivided Lands Law, Regulations of the Real Estate
2 Commissioner, or conditions attaching to this restricted
3 license.

4 3. Respondent shall not be eligible to apply for the
5 issuance of an unrestricted real estate license nor for the
6 removal of any of the conditions, limitations or restrictions
7 of a restricted license until two(2) years have elapsed from the
8 date of issuance of the restricted license to Respondent.

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

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

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


21 5. Respondent shall, within nine months from the
22 effective date of this Decision, present evidence satisfactory
23 to the Real Estate Commissioner that Respondent has, since the
24 most recent issuance of an original or renewal real estate
25 license, taken and successfully completed the continuing
26
27

1 education requirements of Article 2.5 of Chapter 3 of the Real
2 Estate Law for renewal of a real estate license. If Respondent
3 fails to satisfy this condition, the Commissioner may order the
4 suspension of the restricted license until the Respondent
5 presents such evidence. The Commissioner shall afford
6 Respondent the opportunity for a hearing pursuant to the
7 Administrative Procedure Act to present such evidence.

8 6. Respondent shall notify the Commissioner in
9 writing within 72 hours of any arrest by sending a certified
10 letter to the Commissioner at the Department of Real Estate,
11 Post Office Box 187000, Sacramento, CA 95818-7000. The letter
12 shall set forth the date of Respondent's arrest, the crime for
13 which Respondent was arrested and the name and address of the
14 arresting law enforcement agency. Respondent's failure to
15 timely file written notice shall constitute an independent
16 violation of the terms of the restricted license and shall be
17 grounds for the suspension or revocation of the license.
18

19
20
21 DATED:

04-26-12



JULIE L. TO, Counsel for Complainant

22
23 * * *

24 I have read the Stipulation and Agreement, have
25 discussed it with my counsel, and its terms are understood by me
26 and are agreeable and acceptable to me. I understand that I am
27 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.

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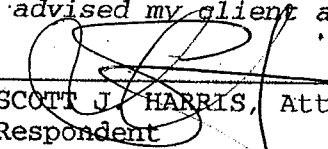
1 Respondent can signify acceptance and approval of the
2 terms and conditions of this Stipulation and Agreement by faxing
3 a copy of the signature page, as actually signed by Respondent,
4 to the Department at fax number (213) 576-6917. Respondent
5 agrees, acknowledges and understands that by electronically
6 sending to the Department a fax copy of his actual signature as
7 it appears on the Stipulation and Agreement, that receipt of the
8 faxed copy by the Department shall be as binding on Respondent
9 as if the Department had received the original signed
10 Stipulation and Agreement.

11 DATED: 04-21-12


12 MARLENE SANSUR, Respondent

13 I have reviewed the Stipulation and Agreement as to
14 form and content and have advised my client accordingly.

15 DATED: 4.24.2012


16 SCOTT J. HARRIS, Attorney for
17 Respondent

18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on _____.

22 IT IS SO ORDERED _____.

23
24 Real Estate Commissioner
25
26 _____
27

1 Respondent can signify acceptance and approval of the
2 terms and conditions of this Stipulation and Agreement by faxing
3 a copy of the signature page, as actually signed by Respondent,
4 to the Department at fax number (213) 576-6917. Respondent
5 agrees, acknowledges and understands that by electronically
6 sending to the Department a fax copy of his actual signature as
7 it appears on the Stipulation and Agreement, that receipt of the
8 faxed copy by the Department shall be as binding on Respondent
9 as if the Department had received the original signed
10 Stipulation and Agreement.

11 DATED: _____
12 MARLENE SANSUR, Respondent

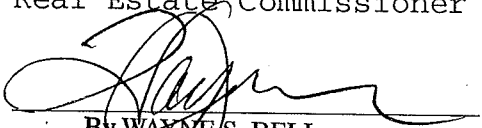
13 *I have reviewed the Stipulation and Agreement as to*
14 *form and content and have advised my client accordingly.*

15 DATED: _____
16 SCOTT J. HARRIS, Attorney for
17 Respondent

18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on JUN 13 2012

22 IT IS SO ORDERED *May 18, 2012*

23
24 Real Estate Commissioner
25 
26 By WAYNE S. BELL
27 Chief Counsel