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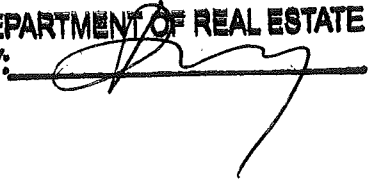
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Department of Real Estate
320 W. 4TH Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982

FILED

MAY 29 2013

DEPARTMENT OF REAL ESTATE
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
RJV FUNDING INC.; and)
REINALDO JOSE VALDES, individually)
and as designated officer of)
RJV Funding Inc.,)
)
Respondents.)
)

No. H-37671 LA
L-2012010307
STIPULATION
AND
AGREEMENT

It is hereby stipulated by and between Respondent REINALDO JOSE VALDES,
(sometimes referred to as "Respondent"), represented by Steven Vondran, Esq. and the
Complainant, acting by and through Elliott Mac Lennan, Counsel for the Department of Real
Estate, as follows for the purpose of settling and disposing of the Accusation filed on November
14, 2011, in this matter:

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

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

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

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

18 5. This Stipulation is made for the purpose of reaching an agreed disposition of
19 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
20 which the Department of Real Estate ("Department"), or another licensing agency of this state,
21 another state or if the federal government is involved, and otherwise shall not be admissible in
22 any other criminal or civil proceeding.

23 6. It is understood by the parties that the Real Estate Commissioner may adopt
24 this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on
25 Respondent's real estate license and license rights as set forth in the below "Order". In the event
26 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
27 void and of no effect and Respondent shall retain the right to a hearing and proceeding on the

1 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
2 made herein.

3 7. The Order or any subsequent Order of the Real Estate Commissioner made
4 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
5 administrative or civil proceedings by the Department of Real Estate with respect to any matters
6 which were not specifically alleged to be causes for accusation in this proceeding.

7 8. Respondents understand that by agreeing to this Stipulation, Respondents agree
8 to pay, pursuant to Business and Professions Code Section 10148, the cost of the audit of RJV
9 Funding Inc. The amount of said cost for the original audit (LA 090147) is \$10,831.50.

10 9. Respondents have received, read, and understand the "Notice Concerning
11 Costs of Subsequent Audit". Respondents further understand that by agreeing to this Stipulation,
12 the findings set forth below in the Determination of Issues become final, and the Commissioner
13 may charge Respondents for the cost of any subsequent audit conducted pursuant to Business and
14 Professions Code Section 10148 to determine if the violations have been corrected. The
15 maximum cost of the follow-up audit will not exceed \$10,831.50.

16 DETERMINATION OF ISSUES

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

19 I.

20 The conduct of REINALDO JOSE VALDES, as described in Paragraph 4, herein
21 above, is in violation of Sections 10085, 10145, 10146, 10159.5, 10162, 10236.4, 10240, and
22 10241 of the Business and Professions Code ("Code") and Sections 2715, 2831, 2831.1, 2831.2,
23 2832(a), 2840, 2970, and 2972 of Title 10, Chapter 6 of the California Code of Regulations
24 ("Regulations") and is a basis for discipline of Respondent's license and license rights as a
25 violation of the Real Estate Law pursuant to Code Sections 10177(d), and 10177(g).
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1 prospective employing real estate broker on a form approved by the Department of Real Estate
2 which shall certify:

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

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

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

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

21 II.

22 Pursuant to Code Section 10148, Respondent REINALDO JOSE VALDES shall
23 pay the Commissioner's reasonable cost for the audit which led to this disciplinary action. The
24 cost of the original audit which led to this disciplinary action is \$10,831.50. In calculating the
25 amount of the Commissioner's reasonable cost, the Commissioner may use the estimated
26 average hourly salary for all persons performing audits of real estate brokers, and shall include
27 an allocation for travel time to and from the auditor's place of work.

1 Respondent and the Commissioner. The suspension shall remain in effect until payment is made
2 in full or until Respondent enters into an agreement satisfactory to the Commissioner to provide
3 for payment, or until a decision providing otherwise is adopted following a hearing held pursuant
4 to this condition.

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6 IV.

7 Respondent REINALDO JOSE VALDES shall on or before the effective date of
8 this Decision, present evidence satisfactory to the Real Estate Commissioner that:

9 (A) With respect to the Homeowners set forth in the table below:

10 (1) Restitution of fees paid for consulting and documentation services has been
11 made;

12 (2) Unless determined by the Real Estate Commissioner to be satisfied or not
13 applicable; and

14 (3) If Respondent fails to satisfy either condition (1) or (2), the Commissioner
15 may order the suspension of Respondent's license until Respondents present such evidence. The
16 Commissioner shall afford Respondent the opportunity for a hearing pursuant to the
17 Administrative Procedure Act to present such evidence.

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19 (B) To the extent that restitution repayment is applicable:

20 (1) Respondent shall deliver or mail the restitution payments, by certified mail,
21 return receipt requested, to the Homeowners last address on file with or known to Respondent.

22 (2) If any of the payments are returned by the Post Office marked "unable to
23 deliver," Respondent shall employ a locator service (that may include or be limited to the Internet
24 or other database retrieval search) to try and locate the aforesaid borrowers. Repayments shall
25 then be made to the addresses recommended by the locator service.
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1 (3) If unable to effect repayment after using a locator service, Respondent shall
2 provide reasonable proof satisfactory to the Commissioner of their efforts to comply with the
3 provisions of this Paragraph.

4 (4) If the Commissioner determines that proof to be unsatisfactory, the
5 Commissioner shall so advise Respondent, and indicate what additional reasonable efforts should
6 be made to effect repayment.

7 (5) If Respondent fails to satisfy this condition, the Commissioner may order
8 suspension of Respondent's license until Respondent effects compliance herein and/or order that
9 undeliverable or undelivered restitution payments escheat to the State of California.

10 (C) All proof shall be submitted to Department Counsel Elliott Mac Lennan,
11 Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles,
12 California 90013-1105, on or before the effective date of this Decision.

13 Table: Restitution to Loan Modification Homeowners per Audit Report LA 090146

14

Homeowner	Restitution
Vincent C.	\$750
Thuan N.	\$750
Kevin G.	\$800
Total	\$2,300

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25 DATED: April 26, 2013

26 EML
27 ELLIOTT MAC LENNAN, Counsel for
Department of Real Estate

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EXECUTION OF THE STIPULATION

I have read the Stipulation and Agreement and discussed it with my counsel. 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 Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.


FACSIMILE

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation by faxing a copy of its signature page, as actually signed by Respondent, to the Department at the following facsimile number: Elliott Mac Lennan at (213) 576-6917. Respondent agree, acknowledge and understand that by electronically sending to the Department a fax copy of Respondent' actual signature as they appear on the Stipulation, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation.

DATED: 4/18/13


REINALDO JOSE VALDES,
Respondent

DATED: 4/18/13

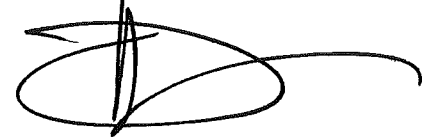

STEVEN VONDRAN, ESQ.
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent REINALDO JOSE VALDES and shall become effective at 12 o'clock noon on June 12, 2013.

IT IS SO ORDERED May 15, 2013

REAL ESTATE COMMISSIONER



WAYNE S. REILLY

By: Jeffrey Mason
Chief Deputy Commissioner