

FILED

JUL 29 2013

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

DEPARTMENT OF REAL ESTATE
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11	In the Matter of the Accusation of)	No. H-37765 LA
)	L-2012020420
12	WEST COAST CAPITAL FUDING GROUP; and)	
	<u>STEVEN PAUL BEYROOTY</u> , individually)	
13	doing business as Great American Mortgage and)	<u>STIPULATION</u>
	Great American Realty, and as former designated)	<u>AND</u>
14	officer of West Coast Capital Funding Group,)	<u>AGREEMENT</u>
)	
15	Respondents.)	
16)	

17 It is hereby stipulated by and between Respondent STEVEN PAUL BEYROOTY,
18 individually and as designated officer of West Coast Capital Funding Group Corporation
19 (sometimes collectively referred to as "Respondent"), represented by Angelica M. Leon Esq. and
20 the Complainant, acting by and through Elliott Mac Lennan, Counsel for the Department of Real
21 Estate, as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed
22 on December 23, 2011, in this matter:

23 1. All issues which were to be contested and all evidence which was to be
24 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
25 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),
26 shall instead and in place thereof be submitted solely on the basis of the provisions of this
27 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 timely 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 and the right to cross-examine witnesses.

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

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

1 waiver made herein.

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

8 8. Respondent understands that by agreeing to this Stipulation, Respondent agrees
9 to pay, pursuant to Business and Professions Code Section 10148, the cost of the audit. The
10 amount of said cost for the original audit (SD10016/SD100017 - Steven Paul Beyrooty) is
11 \$4,545.25.

12 9. Respondent has received, read, and understands the "Notice Concerning Costs
13 of Subsequent Audit". Respondent further understands that by agreeing to this Stipulation, the
14 findings set forth below in the Determination of Issues become final, and the Commissioner may
15 charge Respondent for the cost of any subsequent audit conducted pursuant to Business and
16 Professions Code Section 10148 to determine if the violations have been corrected. The
17 maximum cost of the follow-up audit will not exceed \$4,545.25.

18 10. Respondent understands that by agreeing to this Stipulation, Respondent
19 agrees to pay, pursuant to Business and Professions Code Section 10106, the cost of the
20 investigation and enforcement of this matter. The amount of said cost is \$ 352.08.

21 DETERMINATION OF ISSUES

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

24 I.

25 The conduct, acts or omissions of STEVEN PAUL BEYROOTY, as described in
26 Paragraph 4, herein above, are in violation of Sections 10140.60, 10145, and 10240(c) of the
27 Business and Professions Code ("Code") and Sections 2831.1, and 2832 of Title 10, Chapter 6 of

1 the California Code of Regulations ("Regulations"), and is a basis for discipline of Respondent's
2 license and license rights as a violation of the Real Estate Law pursuant to Code Section
3 10177(d).

4 ORDER

5 WHEREFORE, THE FOLLOWING ORDER is hereby made:

6 I.

7 All licenses and licensing rights of Respondent STEVEN PAUL BEYROOTY,
8 under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of
9 this Decision:

10 A. Provided, however, that if Respondent requests, the initial thirty (30) days of
11 said suspension (or a portion thereof) shall be stayed for two (2) years upon condition that:

12 1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the
13 Business and Professions Code at the rate of \$83.33 per day for each day of the suspension for a
14 total monetary penalty of \$2,500.

15 2. Said payment shall be in the form of a cashier's check or certified check made
16 payable to the Recovery Account of the Real Estate Fund. Said check must be received by the
17 Department prior to the effective date of the Decision in this matter.

18 3. No further cause for disciplinary action against the real estate license of
19 Respondent occurs within two (2) years from the effective date of the Decision in this matter.

20 4. If Respondent fails to pay the monetary penalty in accordance with the terms of
21 the Decision, the Commissioner may, without a hearing, order the immediate execution of all or
22 any part of the stayed suspension, in which event the Respondent shall not be entitled to any
23 repayment nor credit, prorated or otherwise, for money paid to the Department under the terms of
24 this Decision.

1 trust fund accounting and handling specified in paragraph (3) of subdivision (a) of Section
2 10170.5 of the Business and Professions Code. Proof of satisfaction of this requirement includes
3 evidence that respondent has successfully completed the trust fund account and handling
4 continuing education course within 120-days prior to the effective date of the Decision in this
5 matter.

6
7 V.

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

15
16 DATED: 1-17-03

17 E L L
18 ELLIOTT MAC LENNAN, Counsel for
19 Department of Real Estate

20 EXECUTION OF THE STIPULATION

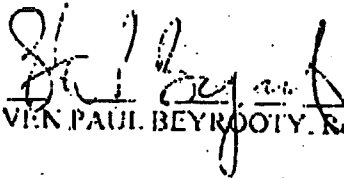
21 I have read the Stipulation and Agreement and discussed it with my attorney. Its
22 terms are understood by me and are agreeable and acceptable to me. I understand that I am
23 waiving rights given to me by the California Administrative Procedure Act (including but not
24 limited to Sections 11506,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

MAILING AND FACSIMILE

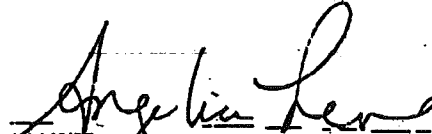
Respondent (1) shall mail the original signed signature page of the stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondent shall also (2) facsimile a copy of signed signature page, to the Department at the following; telephone/fax number (213) 576-6917, Attention: Elliott Mac Lennan.

A facsimile constitutes acceptance and approval of the terms and conditions of this stipulation. Respondent agrees, acknowledge and understand that by electronically sending to the Department a facsimile copy of Respondent's actual signature as it appears on the stipulation that receipt of the facsimile copy by the Department shall be as binding on Respondent as if the Department had received the original signed stipulation.

DATED: 12/31/12


STEVEN PAUL BEYROOTY, Respondent.

DATED: 1/14/13


ANGELICA M. LEON, ESQ.
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent STEVEN PAUL BEYROOTY, and shall become effective at 12 o'clock noon on August 28, 2013.

IT IS SO ORDERED July 13, 2013.

Real Estate Commissioner

