

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

4 (213) 576-6982

**FILED**

MAR 20 2013

DEPARTMENT OF REAL ESTATE  
BY: \_\_\_\_\_

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7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) DRE No. H-38230 LA  
12 RONALDO ROMERO BAUTISTA, )  
13 ) STIPULATION AND  
14 ) AGREEMENT  
15 )  
16 Respondent. )

17 It is hereby stipulated by and between RONALDO ROMERO  
18 BAUTISTA ("Respondent") and the Complainant, acting by and  
19 through Lissete Garcia, Counsel for the Department of Real  
20 Estate, as follows for the purpose of settling and disposing of  
21 the Accusation filed on June 29, 2012, in this matter:

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

1 Stipulation and Agreement ("Stipulation").

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

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

18           4. This Stipulation is based on the factual  
19 allegations contained in the Accusation filed in this  
20 proceeding. In the interest of expedience and economy,  
21 Respondent chooses not to contest these factual allegations, but  
22 to remain silent and understands that, as a result thereof,  
23 these factual statements, will serve as a prima facie basis for  
24 the disciplinary action stipulated to herein. The Real Estate  
25 Commissioner shall not be required to provide further evidence  
26 to prove such allegations.

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1           5. This Stipulation and Respondent's decision not to  
2 contest the Accusation are made for the purpose of reaching an  
3 agreed disposition of this proceeding and are expressly limited  
4 to this proceeding and any other proceeding or case in which the  
5 Department, or another licensing agency of this state, another  
6 state or if the federal government is involved and otherwise  
7 shall not be admissible in any other criminal or civil  
8 proceedings.

9           6. It is understood by the parties that the Real  
10 Estate Commissioner may adopt the Stipulation as his decision in  
11 this matter thereby imposing the penalty and sanctions on  
12 Respondent's real estate license and license rights as set forth  
13 in the below "Order". In the event that the Commissioner in his  
14 discretion does not adopt the Stipulation, the Stipulation shall  
15 be void and of no effect, and Respondent shall retain the right  
16 to a hearing on the Accusation under all the provisions of the  
17 APA and shall not be bound by any stipulation or waiver made  
18 herein.

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

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1                   3. Respondent shall not be eligible for the issuance  
2 of an unrestricted real estate license nor for the removal of  
3 any of the conditions, limitations or restrictions of a  
4 restricted license until at least four (4) years have elapsed  
5 from the effective date of this Decision.

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

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

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

18                   5. Respondent shall, within six (6) months from the  
19 effective date of this Decision, take and pass the Professional  
20 Responsibility Examination administered by the Department  
21 including the payment of the appropriate examination fee. If  
22 Respondent fails to satisfy this condition, the Commissioner may  
23 order suspension of Respondent's license until Respondent passes  
24 the examination.

25                   6. Respondent shall, within nine (9) months from the  
26 effective date of this Decision, present evidence satisfactory  
27 to the Real Estate Commissioner that Respondent has, since the

1 most recent issuance of an original or renewal real estate  
2 license, taken and successfully completed the continuing  
3 education requirements of Article 2.5 of Chapter 3 of the Real  
4 Estate Law for renewal of a real estate license. If Respondent  
5 fails to satisfy this condition, the Commissioner may order the  
6 suspension of the restricted license until the Respondent  
7 presents such evidence. The Commissioner shall afford  
8 Respondent the opportunity for a hearing pursuant to the  
9 Administrative Procedures Act to present such evidence.

10 II.

11 Respondent shall, prior to the issuance of the  
12 restricted license and as a condition of the issuance of said  
13 restricted license, submit proof satisfactory to the Commissioner  
14 of payment of restitution in the amount of \$2,490 to Arlene F. or  
15 that Respondent has made a diligent effort to locate and repay  
16 \$2,490 to borrower Arlene F. (1) Respondent shall mail the  
17 payments by certified mail, return receipt requested, to the  
18 borrower's last address on file with or known to Respondent. (2)  
19 If the payment is returned by the Post Office marked "unable to  
20 deliver," Respondent shall employ a locator service (that may be  
21 limited to or include or be limited to the Internet or other  
22 database retrieval search) to try and locate the aforesaid  
23 borrower. Repayment shall then be made to the address(es)  
24 recommended by the locator service. (3) If unable to effect  
25 repayment after using a locator service, Respondent shall provide  
26 reasonable proof satisfactory to the Commissioner of his efforts  
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1 to comply with the provisions of this paragraph. (4) If the  
2 Commissioner determines that proof to be unsatisfactory, the  
3 Commissioner shall so advise Respondent, and indicate what  
4 additional reasonable efforts should be made to make repayment to  
5 the borrower. (5) If the Commissioner determines that reasonable  
6 efforts have been made to locate the borrower without success,  
7 said payment shall escheat to the State of California. (6) All  
8 proof shall be submitted to Department Counsel Lissete Garcia,  
9 Attention: Legal Section, Department of Real Estate, 320 W.  
10 Fourth St., Suite 350, Los Angeles, California 90013-1105.

11  
12 III.

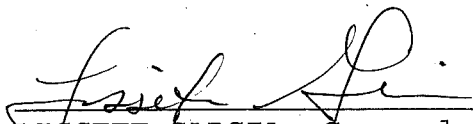
13 Respondent understands that by agreeing to this  
14 Stipulation, Respondent agrees to pay, pursuant to Business and  
15 Professions Code Section 10106, the cost of the investigation and  
16 enforcement which led to this disciplinary action, and the legal  
17 costs related to the Accusation. The total amount of said costs  
18 is \$672.65. Said payment shall be made within sixty (60) days  
19 from the effective date of this Decision. Said payment shall be  
20 in the form of a cashier's check or certified check made payable  
21 to the Real Estate Fund and submitted to Department Counsel  
22 Lissete Garcia, Attention: Legal Section, Department of Real  
23 Estate, 320 W. Fourth St., Suite 350, Los Angeles, California  
24 90013-1105.

25 The Commissioner may suspend Respondent's license  
26 pending a hearing held in accordance with California Government  
27 Code Section 11500, et seq., if payment is not timely made as



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

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9 DATED: 2/14/2013

  
LISSETE GARCIA, Counsel for  
the Department of Real Estate

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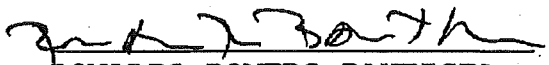
12 I have read the Stipulation and Agreement and its terms  
13 are understood by me and are agreeable and acceptable to me. I  
14 understand that I am waiving rights given to me by the California  
15 Administrative Procedure Act (including but not limited to  
16 Sections 11506, 11508, 11509 and 11513 of the Government Code),  
17 and I willingly, intelligently and voluntarily waive those  
18 rights, including the right of requiring the Commissioner to  
19 prove the allegations in the Accusation at a hearing at which I  
20 would have the right to cross-examine witnesses against me and to  
21 present evidence in defense and mitigation of the charges.

22  
23 Respondent can signify acceptance and approval of the  
24 terms and conditions of this Stipulation and Agreement by faxing  
25 a copy of the signature page, as actually signed by Respondent,  
26 to the Department at the following telephone/fax number:  
27 (213) 576-6917. Respondent agrees, acknowledges and understands

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that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Agreement, 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 and Agreement.

DATED: 2-14-13



RONALDO ROMERO BAUTISTA  
Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter, and shall become effective at 12 o'clock noon on \_\_\_\_\_.

IT IS SO ORDERED \_\_\_\_\_.

REAL ESTATE COMMISSIONER

\_\_\_\_\_

1 that by electronically sending to the Department a fax copy of  
2 his actual signature as it appears on the Stipulation and  
3 Agreement, that receipt of the faxed copy by the Department shall  
4 be as binding on Respondent as if the Department had received the  
5 original signed Stipulation and Agreement.

6 DATED: \_\_\_\_\_

RONALDO ROMERO BAUTISTA  
Respondent

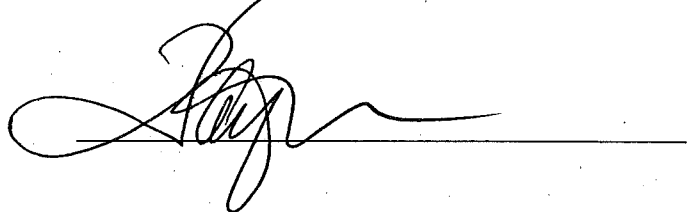
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10 The foregoing Stipulation and Agreement is hereby  
11 adopted as my Decision in this matter, and shall become effective  
12 at 12 o'clock noon on April 9, 2013.

13 IT IS SO ORDERED

3/13/2013.

14 WAYNE S. BELL  
15 REAL ESTATE COMMISSIONER

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