

Bureau of Real Estate
320 West Fourth Street, #350
Los Angeles, California 90013

(213) 576-6982

FILED

SEP 26 2013

BUREAU OF REAL ESTATE

By Jana B. [Signature]

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
) DRE No. H-38277 LA
USLMP, INC., LONI MARIE BARNHART,) OAH No. 2012110154
individually and as designated)
officer of USLMP, Inc.,;) STIPULATION AND AGREEMENT
ESMERALDA VALLE NOVIKOFF,)
JARED A. STANSFIELD,)
DARRYL LLOYD WASHINGTON, and)
CHRISTOPHER KIFAYA,)
Respondents.)

It is hereby stipulated by and between JARED A.
STANSFIELD ("Respondent") and the Complainant, acting by and
through Lissete Garcia, Counsel for the Bureau (formerly
Department) of Real Estate ("Bureau"), as follows for the
purpose of settling and disposing of the Accusation filed on
July 20, 2012, 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

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

5 2. Respondent has received, read and understands the
6 Statement to Respondent, the Discovery Provisions of the APA and
7 the Accusation, filed by the Bureau in this proceeding.

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

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

1 to prove such allegations.

2 5. This Stipulation and Respondent's decision not to
3 contest the Accusation are made for the purpose of reaching an
4 agreed disposition of this proceeding and are expressly limited
5 to this proceeding and any other proceeding or case in which the
6 Bureau, or another licensing agency of this state, another state
7 or if the federal government is involved and otherwise shall not
8 be admissible in any other criminal or civil 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 Bureau with respect
23 to any conduct which was not specifically alleged to be causes
24 for accusation in this proceeding.

25 ///

26 ///

27 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

- 2
- 3
- 4
- 5

6
7
8
9
10
11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondent JARED

A. STANSFIELD under the Real Estate Law are suspended for a period of ten (10) days from the effective date of this Decision; provided, however, that if Respondent petitions, said suspension (or a portion thereof) shall be stayed upon condition that:

1. Respondent pays a monetary penalty pursuant to
Section 10175.2 of the Business and Professions Code at the rate
of \$100 for each day of the suspension for a total monetary
penalty of \$1,000.

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

3. No further cause for disciplinary action against
the real estate license of Respondent occurs within one (1) year
from the effective date of the Decision in this matter.

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

5. If Respondent pays the monetary penalty and if no further cause for disciplinary action against the real estate license of Respondent occurs within one (1) year from the effective date of the Decision, the stay hereby granted shall become permanent.

II

Respondent JARED A. STANSFIELD shall, prior to the
effective date of this Decision, provide proof of payment of
restitution in the amounts of \$250.00 to Adhaar Lall and \$250.00
to Roger Schindler as follows:

(a) Respondent shall deliver or mail the restitution
payments, by certified mail, return receipt requested, to Adhaar
Lall and Roger Schindler's last addresses on file with or known
to Respondent.

(b) If the payments are returned by the Post Office marked
"unable to deliver," Respondent shall employ a locator service
(that may include or be limited to the Internet or other database
retrieval search) to try and locate Adhaar Lall and Roger
Schindler. Repayments shall then be made to the address(es)
recommended by the locator service.

(c) If unable to effect repayments after using a locator
service, Respondent shall provide reasonable proof satisfactory
to the Commissioner of his efforts to comply with the provisions
of this paragraph.

(d) If the Commissioner determines that proof to be
unsatisfactory, he shall so advise Respondent, and indicate what

1 additional reasonable efforts should be made to make repayment(s)
2 to Adhaar Lall and Roger Schindler.

3 (e) If Respondent fails to satisfy this condition, the
4 Commissioner may order suspension of Respondent's license until
5 Respondent effects compliance herein; and

6 (f) Restitution payments not made to Adhaar Lall and Roger
7 Schindler shall escheat to the State of California.

8 (g) All proof shall be submitted to Bureau Counsel Lissete
9 Garcia, Attention: Legal Section, Bureau of Real Estate, 320 W.
10 Fourth St., Suite 350, Los Angeles, California 90013-1105.

11 III


12 Respondent shall, within six (6) months from the
13 effective date of this Decision, take and pass the Professional
14 Responsibility Examination administered by the Bureau including
15 the payment of the appropriate examination fee. If Respondent
16 fails to satisfy this condition, the Commissioner may order the
17 suspension of Respondent's license until Respondent passes the
18 examination.

19 IV

20 Respondent shall, within nine (9) months from the
21 effective date of this Decision, present evidence satisfactory
22 to the Real Estate Commissioner that Respondent has, since the
23 most recent issuance of an original or renewal real estate
24 license, taken and successfully completed the continuing
25 education requirements of Article 2.5 of Chapter 3 of the Real
26 Estate Law for renewal of a real estate license. If Respondent
27 fails to satisfy this condition, the Commissioner may order the

1 suspension of the restricted license until the Respondent
2 presents such evidence. The Commissioner shall afford
3 Respondent the opportunity for a hearing pursuant to the
4 Administrative Procedures Act to present such evidence.

5
6 DATED: 9/9/2013


LISSETE GARCIA, Counsel for
the Bureau of Real Estate

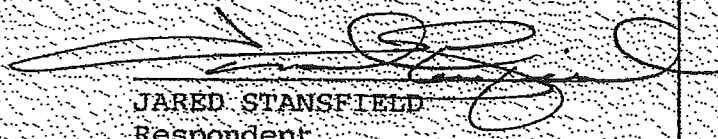
8
9 * * *

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

21
22 Respondent can signify acceptance and approval of the
23 terms and conditions of this Stipulation and Agreement by faxing
24 a copy of the signature page, as actually signed by Respondent,
25 to the Bureau at the following telephone/fax number: (213) 576-
26 6917. Respondent agrees, acknowledges and understands that by
27

1 electronically sending to the Bureau a fax copy of his actual
2 signature as it appears on the Stipulation and Agreement, that
3 receipt of the faxed copy by the Bureau shall be as binding on
4 Respondent as if the Bureau had received the original signed
5 Stipulation and Agreement.
6

7 DATED: 9.4.13


JARED STANSFIELD
Respondent

10 * * *

11 The foregoing Stipulation and Agreement is hereby
12 adopted as my Decision in this matter, and shall become
13 effective at 12 o'clock noon on _____
14

15 IT IS SO ORDERED _____
16

17 REAL ESTATE COMMISSIONER
18

19
20 _____
Wayne S. Bell
21
22
23
24
25
26
27

1 electronically sending to the Bureau a fax copy of his actual
2 signature as it appears on the Stipulation and Agreement, that
3 receipt of the faxed copy by the Bureau shall be as binding on
4 Respondent as if the Bureau had received the original signed
5 Stipulation and Agreement.
6

7 DATED: _____

8 JARED STANSFIELD
9 Respondent

10 * * *

11 The foregoing Stipulation and Agreement is hereby
12 adopted as my Decision in this matter, and shall become
13 effective at 12 o'clock noon on OCT 16 2013
14 _____

15 IT IS SO ORDERED SEPTEMBER 19, 2013

16
17 REAL ESTATE COMMISSIONER

18 
19
20 _____

21 By: JEFFREY MASON
22 Chief Deputy Commissioner
23
24
25
26
27