

FILED

JUL 31 2013

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE
BY: 

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8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12
13 In the Matter of the Accusation

No. H-38324 LA
No. L-2012090707

14 AT YOUR SERVICE REALTY &)
15 INVESTMENTS INC.; and)
16 JOSE L. CORDOVA, indivi-)
17 dually, and as designated)
18 officer for At Your Service)
19 Realty & Investments Inc.,)
20)
21 Respondents.)
22)
23)
24)
25)
26)
27)

STIPULATION AND
AGREEMENT

20 It is hereby stipulated by and between AT YOUR
21 SERVICE REALTY & INVESTMENTS INC. and JOSE L. CORDOVA,
22 individually and as designated officer for At Your Service
23 Realty & Investments Inc., (sometimes collectively referred to
24 as "Respondents") and Respondents' attorney, Alvin B. Sherron,
25 Esq., and the Complainant, acting by and through Cheryl Keily,
26 Counsel for the Department of Real Estate, as follows for the
27 purpose of settling and disposing of the Accusation filed on

1 August 8, 2012, in this matter.

2 1. All issues which were to be contested and all
3 evidence which was to be presented by Complainant and
4 Respondents at a formal hearing on the Accusation, which hearing
5 was to be held in accordance with the provisions of the
6 Administrative Procedure Act (APA), shall instead and in place
7 thereof be submitted solely on the basis of the provisions of
8 this Stipulation and Agreement.
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10 2. Respondents have received, read and understood the
11 Statement to Respondent, the Discovery Provisions of the APA and
12 the Accusation filed by the Department of Real Estate
13 ("Department") in this proceeding.
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15 3. On August 31, 2012, Respondents filed a Notice of
16 Defense, pursuant to Section 11506 of the Government Code for
17 the purpose of requesting a hearing on the allegations in the
18 Accusation. Respondents hereby freely and voluntarily withdraw
19 said Notice of Defense. Respondents acknowledge that they
20 understand that by withdrawing said Notice of Defense they will
21 thereby waive their right to require the Commissioner to prove
22 the allegations in the Accusation at a contested hearing held in
23 accordance with the provisions of the APA and that they will
24 waive other rights afforded to them in connection with the
25 hearing, such as the right to present evidence in defense of the
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1 allegations in the Accusation and the right to cross-examine
2 witnesses.

3 4. This Stipulation is based on the factual
4 allegations contained in the Accusation. In the interest of
5 expedience and economy, Respondents choose not to contest these
6 allegations, but to remain silent and understands that, as a
7 result thereof, these factual allegations, without being
8 admitted or denied, will serve as a prima facie basis for the
9 disciplinary action stipulated to herein. The Real Estate
10 Commissioner shall not be required to provide further evidence
11 to prove said factual allegations.
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14 5. This Stipulation is made for the purpose of
15 reaching an agreed disposition of this proceeding and is
16 expressly limited to this proceeding and any other proceeding
17 or case in which the Department of Real Estate ("Department"),
18 the state or federal government, or any agency of this state,
19 another state or federal government is involved, and otherwise
20 shall not be admissible in any other criminal or civil
21 proceedings.
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23 6. The Order or any subsequent Order of the Real
24 Estate Commissioner made pursuant to this Stipulation and
25 Agreement shall not constitute an estoppel, merger or bar to any
26 further administrative or civil proceedings by the Department of
27 Real Estate with respect to any matters which were not

1 specifically alleged to be causes for accusation in this
2 proceeding.

3 DETERMINATION OF ISSUES

4 By reason of the foregoing stipulations, admissions
5 and waivers and solely for the purpose of settlement of the
6 pending Accusation without a hearing, it is stipulated and
7 agreed that the following determination of issues shall be made:

8 The conduct, acts or omissions of Respondent AT YOUR
9 SERVICE REALTY & INVESTMENTS INC., as set forth in the
10 Accusation, constitute cause to suspend or revoke the real
11 estate license and license rights of Respondent AT YOUR SERVICE
12 REALTY & INVESTMENTS INC. under the provisions of Business and
13 Professions Code ("Code") Section 10177(d) for violation of
14 Code Section 10130 and Section 2742(c) of Title 10, Chapter 6,
15 California Code of Regulations.

16 The conduct, acts or omissions of Respondent JOSE L.
17 CORDOVA, as set forth in the Accusation, constitute cause to
18 suspend or revoke the real estate license and license rights of
19 Respondent JOSE L. CORDOVA under the provisions of Code
20 Sections 10176(a) and 10177(g).

21 ORDER

22 WHEREFORE, THE FOLLOWING ORDER is hereby made:

23 I. The licenses and licensing rights of Respondent AT
24 YOUR SERVICE REALTY & INVESTMENTS INC. are hereby revoked.

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2 II. All licenses and license rights of Respondent JOSE
3 L. CORDOVA under the Real Estate Law are suspended for a period
4 of ninety (90) days from the effective date of this Decision.

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6 A. Provided, however, that if Respondent CORDOVA
7 requests, the initial thirty (30) days of said suspension (or a
8 portion thereof) shall be stayed upon condition that:

9 1. Respondent CORDOVA pays a monetary penalty pursuant
10 to Section 10175.2 of the Code at the rate of \$100.00 per day
11 for each day of the suspension for a total monetary penalty of
12 \$3,000.

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

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

24 4. If Respondent CORDOVA fails to pay the monetary
25 penalty in accordance with the terms of the Decision, the
26 Commissioner may, without a hearing, order the immediate
27 execution of all or any part of the stayed suspension, in which

1 event the Respondent shall not be entitled to any repayment or
2 credit, prorated or otherwise, for money paid to the Department
3 under the terms of this Decision.

4 5. If Respondent CORDOVA pays the monetary penalty and
5
6 if no further cause for disciplinary action against the real
7 estate license of Respondent CORDOVA occurs within two (2) years
8 from the effective date of the Decision, the stay hereby granted
9 shall become permanent.

10 B. The remaining sixty (60) days of the ninety (90)
11 day suspension shall be stayed for two (2) years upon the
12 following terms and conditions:

13 1. Respondent JOSE L. CORDOVA shall obey all laws,
14
15 rules and regulations governing the rights, duties and
16 responsibilities of a real estate licensee in the State of
17 California;

18 2. No final subsequent determination is made, after
19 hearing or upon stipulation, that cause for disciplinary action
20 occurred within two (2) years of the effective date of this
21 Decision. Should such a determination be made, the Commissioner
22 may, in his discretion, vacate and set aside the stay order and
23 reimpose all or a portion of the stayed suspension. Should no
24 such determination be made, the stay imposed herein shall
25 become permanent.
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1 III. Respondent JOSE L. CORDOVA shall, within six
2 months from the effective date of this Decision, take and pass
3 the Professional Responsibility Examination administered by the
4 Department including the payment of the appropriate examination
5 fee. If Respondent fails to satisfy this condition, the
6 Commissioner may order suspension of Respondent's license until
7 Respondent passes the examination.
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10 DATED:

July 3, 2013



CHERYL D. KEILY, Counsel
DEPARTMENT OF REAL ESTATE

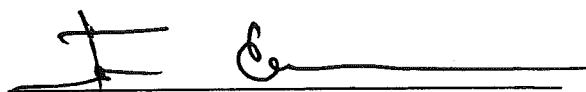
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13 I have read the Stipulation and Agreement, and its
14 terms are understood by me and are agreeable and acceptable to
15 me. I understand that I am waiving rights given to me by the
16 California Administrative Procedure Act (including but not
17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

1 Respondent, to the Department, at the following telephone/fax
2 number (213) 576-6917. Respondent agrees, acknowledges, and
3 understands that by electronically sending to the Department a
4 fax copy of his actual signature as it appears on the
5 Stipulation and Agreement, that receipt of the faxed copy by
6 the Department shall be as binding on Respondent as if the
7 Department had received the original signed Stipulation and
8 Agreement.

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10 DATED: 07/01/2013

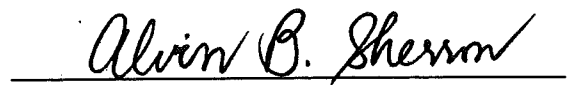

Respondent AT YOUR SERVICE REALTY
& INVESTMENTS INC.
By: Jose L. Cordova

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13 DATED: 07/01/2013


Respondent JOSE L. CORDOVA

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

18 DATED: July 01, 2013


Alvin B. Sherron, Esq.
Attorney for Respondents
AT YOUR SERVICE REALTY &
INVESTMENTS INC. and
JOSE L. CORDOVA

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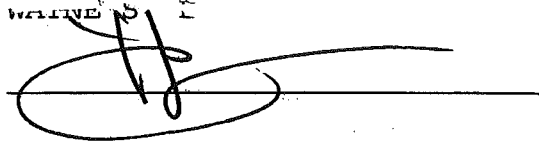
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on August 20, 2013.

IT IS SO ORDERED July 19, 2013.

REAL
WATNE



By: JEFFREY MASON
Chief Deputy Commissioner