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FILED

NOV 15 2013

BUREAU OF REAL ESTATE

By *[Signature]*

1 Bureau of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013
3 (213) 576-6982
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8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-38556 LA
12)
12 DONNA LEE PLOUGH,)
13)
13 Respondent.)
14) STIPULATION AND AGREEMENT
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16 It is hereby stipulated by and between DONNA LEE
17 PLOUGH (hereinafter "Respondent") and the Complainant, acting by
18 and through Julie L. To, Counsel for the Bureau of Real Estate,
19 as follows for the purpose of settling and disposing of the
20 Accusation filed on November 16, 2012, in this matter:

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

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

8 3. On September 11, 2013, Respondent filed a Notice
9 of Defense pursuant to Section 11506 of the Government Code for
10 the purpose of requesting a hearing on the allegations in the
11 Accusation. Respondent hereby freely and voluntarily withdraws
12 said Notice of Defense. Respondent acknowledges that she
13 understands that by withdrawing said Notice of Defense she will
14 thereby waive her right to require the Commissioner to prove the
15 allegations in the Accusation at a contested hearing held in
16 accordance with the provisions of the APA and that she will
17 waive other rights afforded to her in connection with the
18 hearing such as the right to present evidence in defense of the
19 allegations in the Accusation and the right to cross-examine
20 witnesses.
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22 4. Respondent, pursuant to the limitations set forth
23 below, hereby admits that the factual allegations of the
24 Accusation filed in this proceeding are true and correct and the
25 Real Estate Commissioner shall not be required to provide
26 further evidence of such allegations.
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1 5. It is understood by the parties that the Real
2 Estate Commissioner may adopt the Stipulation and Agreement as
3 his Decision in this matter, thereby imposing the penalty and
4 sanctions on Respondent's real estate license and license rights
5 as set forth in the below "Order". In the event that the
6 Commissioner in his discretion does not adopt the Stipulation
7 and Agreement, it shall be void and of no effect, and Respondent
8 shall retain the right to a hearing and proceeding on the
9 Accusation under all the provisions of the APA and shall not be
10 bound by any admission or waiver made herein.

11 6. The Order or any subsequent Order of the Real
12 Estate Commissioner made pursuant to this Stipulation and
13 Agreement shall not constitute an estoppel, merger or bar to any
14 further administrative or civil proceedings by the Bureau of
15 Real Estate with respect to any matters which were not
16 specifically alleged to be causes for accusation in this
17 proceeding.
18

19 DETERMINATION OF ISSUES

20 By reason of the foregoing stipulations, admissions
21 and waivers and solely for the purpose of settlement of the
22 pending Accusation without a hearing, it is stipulated and
23 agreed that the following determination of issues shall be made:

24 The conduct of Respondent, as set forth in the
25 Accusation constitutes grounds for suspension or revocation of
26 Respondent's real estate broker license under the provisions of
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1 Sections 490 and 10177(b) of the Business and Professions Code.

2 ORDER

3 WHEREFORE, THE FOLLOWING ORDER is hereby made:

4 All licenses and licensing rights of Respondent DONNA
5 LEE PLOUGH under the Real Estate Law are revoked; provided,
6 however, a restricted real estate broker license shall be issued
7 to Respondent pursuant to Section 10156.5 of the Business and
8 Professions Code if Respondent makes application therefor and
9 pays to the Bureau of Real Estate the appropriate fee for the
10 restricted license within 90 days from the effective date of
11 this Decision. The restricted license issued to Respondent
12 shall be subject to all of the provisions of Section 10156.7 of
13 the Business and Professions Code and to the following
14 limitations, conditions and restrictions imposed under authority
15 of that Code:

16
17 1. The restricted license issued to Respondent may be
18 suspended prior to hearing by Order of the Real Estate
19 Commissioner in the event of Respondent's conviction or plea of
20 nolo contendere to a crime which is substantially related to
21 Respondent's fitness or capacity as a real estate licensee.

22 2. The restricted license issued to Respondent may be
23 suspended prior to hearing by Order of the Real Estate
24 Commissioner on evidence satisfactory to the Commissioner that
25 Respondent has violated provisions of the California Real Estate
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1 Law, the Subdivided Lands Law, Regulations of the Real Estate
2 Commissioner, or conditions attaching to the restricted license.

3 3. Respondent shall not be eligible to apply for the
4 issuance of an unrestricted real estate license nor for the
5 removal of any of the conditions, limitations or restrictions
6 of a restricted license until five (5) years have elapsed from
7 the date of issuance of the restricted license to Respondent.


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

21 5. Respondent shall notify the Commissioner in writing
22 within 72 hours of any arrest by sending a certified letter to
23 the Commissioner at the Bureau of Real Estate, Post Office Box
24 137013, Sacramento, CA 95813. The letter shall set forth the
25 date of Respondent's arrest, the crime for which Respondent was
26 arrested and the name and address of the arresting law
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1 enforcement agency. Respondent's failure to timely file written
2 notice shall constitute an independent violation of the terms of
3 the restricted license and shall be grounds for the suspension or
4 revocation of that license.

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7 DATED:

10-15-13


JULIE L. TO, Counsel for Complainant

8 * * *

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

21 Respondent can signify acceptance and approval of the
22 terms and conditions of this Stipulation and Agreement by faxing
23 a copy of the signature page, as actually signed by Respondent,
24 to the Bureau at fax number (213) 576-6917. Respondent agrees,
25 acknowledges and understands that by electronically sending to
26 the Bureau a fax copy of her actual signature as it appears on
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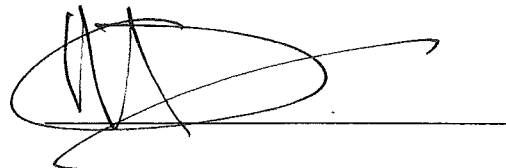
1 the Stipulation and Agreement, that receipt of the faxed copy by
2 the Bureau shall be as binding on Respondent as if the Bureau
3 had received the original signed Stipulation and Agreement.

4
5 DATED: 10/10/2013 Donna Lee Plough
6 DONNA LEE PLOUGH, Respondent
7 aka Donna Lee Cartwright
8 * * *

9 The foregoing Stipulation and Agreement is hereby
10 adopted as my Decision in this matter and shall become effective
11 at 12 o'clock noon on December 5, 2013.

12 IT IS SO ORDERED NOV 07 2013.

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By: JEFFREY MASON
Chief Deputy Commissioner