

**FILED**

JUN 20 2013

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

DEPARTMENT OF REAL ESTATE  
BY: James A. Demus

(213) 576-6982  
(213) 576-6910

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) NO. H-38764 LA  
)  
PATRICIA ROJAS MILLAN, )  
) STIPULATION AND AGREEMENT  
Respondent. )  
)  
)

It is hereby stipulated by and between  
PATRICIA ROJAS MILLAN (hereinafter "Respondent"), and the  
Complainant, acting by and through James A. Demus, Counsel for  
the Department of Real Estate, as follows for the purpose of  
settling and disposing of the Accusation filed on March 15, 2013  
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  
held in accordance with the provisions of the Administrative  
Procedure Act (APA), shall instead and in place thereof be  
submitted solely on the basis of the provisions of this

1 Stipulation and Agreement.

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 in this  
5 proceeding.

6           3. This Stipulation is based on the factual  
7 allegations contained in the Accusation. In the interest of  
8 expedience and economy, Respondent chooses not to contest these  
9 allegations, but to remain silent and understands that, as a  
10 result thereof, these factual allegations, without being admitted  
11 or denied, will serve as a prima facie basis for the disciplinary  
12 action stipulated to herein. The Real Estate Commissioner shall  
13 not be required to provide further evidence to prove said factual  
14 allegations.

15           4. It is understood by the parties that the Real  
16 Estate Commissioner may adopt the Stipulation and Agreement as  
17 his Decision in this matter, thereby imposing the penalty and  
18 sanctions on Respondent's real estate license and license rights  
19 as set forth in the below "Order". In the event that the  
20 Commissioner in his discretion does not adopt the Stipulation  
21 and Agreement, it shall be void and of no effect, and Respondent  
22 shall retain the right to a hearing and proceeding on the  
23 Accusation under all the provisions of the APA and shall not be  
24 bound by any admission or waiver made herein.

25           5. The Order or any subsequent Order of the Real  
26 Estate Commissioner made pursuant to this Stipulation and  
27 Agreement shall not constitute an estoppel, merger or bar to any

1 further administrative or civil proceedings by the Department of  
2 Real Estate with respect to any matters which were not  
3 specifically alleged to be causes for accusation in this  
4 proceeding.

5 DETERMINATION OF ISSUES

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

10 The conduct of Respondent, as set forth in the  
11 Accusation constitutes grounds for suspension or revocation of  
12 Respondent's real estate salesperson license under the  
13 provisions of Section 10177(f) of the Business and Professions  
14 Code.

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 All licenses and licensing rights of Respondent  
18 PATRICIA ROJAS MILLAN, under the Real Estate Law are revoked;  
19 provided, however, a restricted real estate salesperson license  
20 shall be issued to Respondent pursuant to Section 10156.5 of the  
21 Business and Professions Code, if Respondent makes application  
22 therefor and pays to the Department the appropriate fee within  
23 90 days from the effective date of this Decision. The  
24 restricted license issued to Respondent shall be subject to all  
25 of the provisions of Section 10156.7 of the Business and  
26 Professions Code and to the following limitations, conditions  
27 and restrictions imposed under authority of Section 10156.6 of

1 that code:

2           1. The restricted license issued to Respondent may be  
3 suspended prior to hearing by Order of the Real Estate  
4 Commissioner in the event of Respondent's conviction or plea of  
5 nolo contendere to a crime which is substantially related to  
6 Respondent's fitness or capacity as a real estate licensee.

7           2. The restricted license issued to Respondent may be  
8 suspended prior to hearing by Order of the Real Estate  
9 Commissioner on evidence satisfactory to the Commissioner that  
10 Respondent has violated provisions of the California Real Estate  
11 Law, the Subdivided Lands Law, Regulations of the Real Estate  
12 Commissioner, or conditions attaching to this restricted  
13 license.

14           3. Respondent shall not be eligible to apply for the  
15 issuance of an unrestricted real estate license nor for the  
16 removal of any of the conditions, limitations or restrictions  
17 of a restricted license until two (2) years have elapsed from  
18 the date of issuance of the restricted license to Respondent.

19           4. Respondent shall submit with any application for  
20 license under an employing broker, or any application for  
21 transfer to a new employing broker, a statement signed by the  
22 prospective employing real estate broker on a form approved by  
23 the Department of Real Estate which shall certify:

24           (a) That the employing broker has read the  
25                       Decision of the Commissioner which granted  
26                       the right to a restricted license; and

27           (b) That the employing broker will exercise

1 close supervision over the performance by  
2 the restricted licensee relating to activities  
3 for which a real estate license is required.

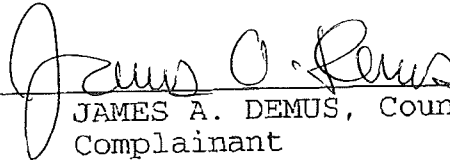
4 5. Respondent shall, within nine months from the  
5 effective date of this Decision, present evidence satisfactory  
6 to the Real Estate Commissioner that Respondent has, since the

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

16 6. Respondent shall notify the Commissioner in  
17 writing within 72 hours of any arrest by sending a certified  
18 letter to the Commissioner at the Department of Real Estate,  
19 Post Office Box 187000, Sacramento, CA 95818-7000. The letter  
20 shall set forth the date of Respondent's arrest, the crime for  
21 which Respondent was arrested and the name and address of the  
22 arresting law enforcement agency. Respondent's failure to  
23 timely file written notice shall constitute an independent  
24 violation of the terms of Respondent's restricted license and  
25 shall be grounds for the suspension or revocation of that  
26 license.

1 DATED:

5/3/13

  
JAMES A. DEMUS, Counsel for  
Complainant


3 \* \* \*

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

15 Respondent can signify acceptance and approval of the  
16 terms and conditions of this Stipulation and Agreement by faxing  
17 a copy of the signature page, as actually signed by Respondent,  
18 to the Department at fax number (213) 576-6917. Respondent  
19 agrees, acknowledges and understands that by electronically  
20 sending to the Department a fax copy of his actual signature as  
21 it appears on the Stipulation and Agreement, that receipt of the  
22 faxed copy by the Department shall be as binding on Respondent  
23 as if the Department had received the original signed  
24 Stipulation and Agreement.

25 DATED:

5-1-2013

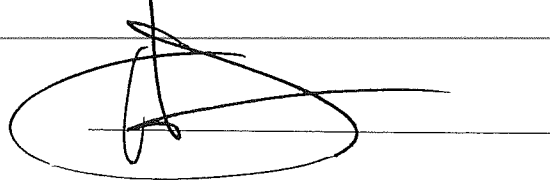
  
PATRICIA ROJAS MILLAN, Respondent

1                    The foregoing Stipulation and Agreement is hereby  
2 adopted as my Decision in this matter and shall become effective  
3 at 12 o'clock noon on JUL 10 2013.

4                    IT IS SO ORDERED

MAY 16, 2013.

6                    REAL ESTATE COMMISSIONER

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10                   By: Jeffrey Mason  
11                   Chief Deputy Commissioner  
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