

FILED

MAR 11 2015

BUREAU OF REAL ESTATE

By 

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

4 (213)576-6982

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7
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-39284 LA
)	
12 SHEREE GAYNELLE SOLIEMAN,)	<u>STIPULATION AND AGREEMENT</u>
)	
13 Respondent.)	
)	

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15 It is hereby stipulated by and between SHEREE GAYNELLE SOLIEMAN
16 (“Respondent”), who is represented by Frank M. Buda of the LAW OFFICES OF FRANK M.
17 BUDA, and the Complainant, represented by Amelia V. Vetrone Counsel for the Bureau of
18 Real Estate, as follows for the purpose of settling and disposing of the Amended Accusation
19 (“Accusation”) filed on or about April 23, 2014, in this matter:

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

25 2. Respondent has received, read and understands the Statement to Respondent,
26 the Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate in
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1 this proceeding.

2 3. On May 6, 2014, the Bureau of Real Estate received Respondent's Notice of
3 Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a
4 hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily
5 withdraws said Notice of Defense. Respondent acknowledges that she understands that by
6 withdrawing said Notice of Defense she will thereby waive her right to require the
7 Commissioner to prove the allegations in the Accusation at a contested hearing held in
8 accordance with the provisions of the APA and that she will waive other rights afforded to her
9 in connection with the hearing such as the right to present evidence in defense of the allegations
10 in the Accusation and the right to cross-examine witnesses.

11 4. Respondent, pursuant to the limitations set forth below, hereby admits that
12 the factual allegations set forth in Paragraphs 2 and 3 of the Accusation filed in this proceeding
13 are true and correct and the Real Estate Commissioner shall not be required to provide further
14 evidence of such allegations.

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

22 6. The Order or any subsequent Order of the Real Estate Commissioner made
23 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any
24 further administrative or civil proceedings by the Bureau of Real Estate with respect to any
25 matters which were not specifically alleged to be causes for accusation in this proceeding.

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1 DETERMINATION OF ISSUES

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

5 The conduct of Respondent, as described in the Accusation is grounds for the
6 suspension or revocation of all of the real estate licenses and license rights of Respondent under
7 the provision of Sections 490 and 10177(b) of the California Business and Professions Code.

8 ORDER

9 All licenses and licensing rights of Respondent SHEREE GAYNELLE
10 SOLIEMAN under the Real Estate Law are revoked; provided, however, a restricted real estate
11 broker license shall be issued to Respondent pursuant to Section 10156.5 of the Business and
12 Professions Code if Respondent makes application therefor and pays to the Bureau of Real
13 Estate the appropriate fee for the restricted license within 90 days from the effective date of this
14 Decision. The restricted license issued to Respondent shall be subject to all of the provisions of
15 Section 10156.7 of the Business and Professions Code and to the following limitations,
16 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

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

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

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

5. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at Bureau of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested, and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

DATED: 2-23-15



Amelia V. Vetrone
Counsel for the
Bureau of Real Estate

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


9 Respondent can signify acceptance and approval of the terms and conditions of
10 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by
11 Respondent, to the Bureau at the following telephone/fax number: (213) 576-6917. Respondent
12 agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy
13 of her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed
14 copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original
15 signed Stipulation and Agreement.

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18 DATED: 2/11/15


SHEREE GAYNELLE SOLIEMAN
Respondent

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

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25 DATED: 2-16-15

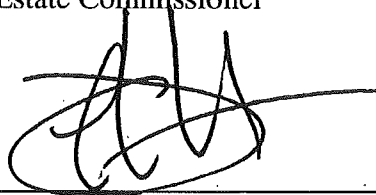

Frank M. Buda
Attorney for Respondent

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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 MAR 31 2015

IT IS SO ORDERED MAR 03 2015

Real Estate Commissioner



By: JEFFREY MASON
Chief Deputy Commissioner