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FILED

JAN 27 2015

BUREAU OF REAL ESTATE

By Angela Wanner

BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of	)	No. H-39355 LA
	)	
<u>LAGANI INC.</u> , doing business as	)	
Progressive Property Management; and	)	
	)	As to LAGANI INC. only
SCOTT PRESTON BRADY,	)	
individually and as designated officer of	)	
Lagani Inc.,	)	
	)	
Respondents.	)	
	))	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE OF  
LAGANI INC.

On March 6, 2014, an Accusation was filed in this matter against Respondents LAGANI INC. and SCOTT PRESTON BRADY.

On December 23, 2015, Respondent LAGANI INC., in connection with an investigation of possible violations of the Real Estate Law (Sections 10000 et seq., of the Business and Professions Code) and Regulations of the Commissioner (Title 10, Chapter 6, Code of Regulations), petitioned the Commissioner to voluntarily surrender its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

1 IT IS HEREBY ORDERED that Respondent LAGANI INC.'s petition for  
2 voluntary surrender of its real estate broker license is accepted as of the effective date of this  
3 Order as set forth below, based upon the understanding and agreement expressed in  
4 Respondent's Declaration dated December 23, 2015 (attached as Exhibit "A" hereto).  
5 Respondent's license certificate, pocket card, and any branch office license certificate shall be  
6 sent to the below listed address so that they reach the Bureau on or before the effective date of  
7 this Order:

8 Bureau of Real Estate  
9 Attn: Licensing Flag Section  
10 P. O. Box 137013  
11 Sacramento, CA 95813-7013

12 This Order shall become effective at 12 o'clock noon on FEB 16 2016.

13 DATED: January 15, 2016

14 WAYNE S. BELL  
15 Real Estate Commissioner

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18 By: JEFFREY MASON  
19 Chief Deputy Commissioner

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of  
LAGANI INC. doing business as  
Progressive Property Management; and  
  
SCOTT PRESTON BRADY,  
individually and as designated officer  
of Lagani Inc.,  
  
Respondents.

NO. H-39355 LA

DECLARATION

My name is SCOTT PRESTON BRADY. LAGANI INC. is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of LAGANI INC. I am acting on behalf of LAGANI INC. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) LAGANI INC. wishes to voluntarily surrender its real estate license, issued by the Bureau of Real Estate ("Bureau"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that LAGANI INC., by so voluntarily surrendering its license, can  
2 only have it reinstated in accordance with the provisions of Section 11522 of the Government  
3 Code. I also understand that by so voluntarily surrendering its license, LAGANI INC. agrees to  
4 the following:

5 1. The filing of this Declaration shall be deemed as its petition for voluntary  
6 surrender.

7 2. It shall also be deemed to be an understanding and agreement by LAGANI INC.  
8 that it waives all rights it has to require the Commissioner to prove the allegations contained in  
9 the Accusation filed in this matter at a hearing held in accordance with the provisions of the  
10 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that it also waives  
11 other rights afforded to it in connection with the hearing such as the right to discovery, the right  
12 to present evidence in defense of the allegations in the Accusation and the right to cross-examine  
13 witnesses.

14 3. I further agree on behalf of LAGANI INC. that upon acceptance by the  
15 Commissioner, as evidenced by an appropriate order, all affidavits and all relevant evidence  
16 obtained by the Bureau in this matter prior to the Commissioner's acceptance, and all allegations  
17 contained in the Accusation filed in the Bureau Case No. H-38355 LA, may be considered by the  
18 Bureau to be true and correct for the purpose of deciding whether or not to grant reinstatement of  
19 LAGANI INC.'s license pursuant to Government Code Section 11522.

20 4. LAGANI INC. freely and voluntarily surrenders all of its licenses and license  
21 rights under the Real Estate Law.

22 5. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto. If  
23 and when a petition application is made for reinstatement of a surrendered license, the Real  
24 Estate Commissioner will consider as one of the criteria of rehabilitation, whether or not  
25 restitution has been made to any person who has suffered monetary losses through "substantially  
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1 related" acts or omissions of Respondent, whether or not such persons are named in the  
2 investigation file in this case.

3 6. I further agree on behalf of LAGANI INC. to pay the Commissioner's  
4 reasonable cost for the audit which led to this action in the amount of \$11,362.83. In calculating  
5 the amount of the Commissioner's reasonable cost, the Commissioner may use the estimated  
6 average hourly salary for all persons performing audits of real estate brokers, and shall include an  
7 allocation for travel time to and from the auditor's place of work. I will pay such cost within 60  
8 days of receiving an invoice from the Commissioner detailing the activities performed during the  
9 audit and the amount of time spent performing those activities.

10 7. I agree that if LAGANI INC. petitions for reinstatement in the future, that  
11 payment of the audit costs will be a condition of reinstatement.

12 I declare under penalty of perjury under the laws of the State of California that the  
13 above is true and correct and that I am acting freely and voluntarily on behalf of LAGANI INC.  
14 to surrender its license and all license rights attached thereto.

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17 12/23/15  
Date and Place

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LAGANI INC.  
By: Scott Preston Brady

CalBRE Voluntary Surrender Declaration - Lagani Inc.