

1 Bureau of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013

FILED

DEC - 2 2014

BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 LEODIS CLYDE MATTHEWS,

13 Respondent.

) CalBRE No. H-39369 LA
) OAH No. 2014041250

STIPULATION AND
AGREEMENT

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16 It is hereby stipulated by and between Respondent LEODIS CLYDE MATTHEWS
17 (“Respondent”), represented by Dick Sindicich, Esq., and the Complainant, acting by and through
18 Lissete Garcia, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and
19 disposing of the Accusation in this matter, filed on March 19, 2014:

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

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

6 3. Respondent LEODIS CLYDE MATTHEWS filed a Notice of Defense pursuant
7 to Section 11506 of the Government Code for the purpose of requesting a hearing on the
8 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of
9 Defense. Respondent acknowledges that he understands that by withdrawing said Notice of
10 Defense, he thereby waives his right to require the Commissioner to prove the allegations in the
11 Accusation at a contested hearing held in accordance with the provisions of the APA and that he
12 will waive other rights afforded to him in connection with the hearing such as the right to present
13 evidence in his defense and the right to cross-examine witnesses.

14 4. This Stipulation is based on the factual allegations contained in the Accusation.
15 In the interest of expedience and economy, Respondent LEODIS CLYDE MATTHEWS chooses
16 not to contest these allegations, but to remain silent and understands that, as a result thereof, these
17 factual allegations, without being admitted or denied, will serve as a prima facie basis for the
18 disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to
19 provide further evidence to prove said factual allegations.

20 5. This Stipulation and Respondent's decision not to contest the Accusation are
21 made for the purpose of reaching an agreed disposition of this proceeding and are expressly limited
22 to this proceeding and any other proceeding or case in which the Bureau of Real Estate, or another
23 licensing agency of this state, another state or if the federal government is involved and otherwise
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ORDER

WHEREFORE THE FOLLOWING ORDER IS MADE PURSUANT TO THE WRITTEN STIPULATION OF THE PARTIES:

I.

All licenses and licensing rights of Respondent LEODIS CLYDE MATTHEWS under the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this Decision; provided, however, that fifteen (15) days of said suspension shall be stayed for one (1) year upon the following terms and conditions:

1. Respondent shall obey all laws, rules, and regulations governing the rights, duties, and responsibilities of a real estate licensee in the State of California; and
2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within one (1) year of the effective date of this Decision. Should such a determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension. Should no such determination be made, the stay imposed herein shall become permanent.

II.

If Respondent petitions, the latter fifteen (15) days of said thirty-day (30) day suspension shall be stayed upon condition that:

1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the Code at the rate of \$100 for each day of the suspension for a total monetary penalty of \$1,500.

1 2. Said payment shall be in the form of a cashier's check made payable to the
2 Bureau of Real Estate. Said check must be delivered to the Bureau of Real
3 Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to
4 the effective date of this Order.

5 3. No further cause for disciplinary action against the Real Estate licenses of
6 Respondent occurs within one (1) year from the effective date of the Order in
7 this matter.

8 4. If RESPONDENT fails to pay the monetary penalty in accordance with the
9 terms and conditions of this Order, the suspension shall go into effect
10 automatically and remain in effect until Respondent pays the monetary penalty
11 in full.

12 5. If Respondent pays the monetary penalty and any other moneys due under this
13 Stipulation and Agreement and if no further cause for disciplinary action against
14 the real estate license of said Respondent occurs within one (1) year from the
15 effective date of this Order, the entire stay hereby granted pursuant to this
16 Order, as to said Respondent only, shall become permanent.

17 III.

18 All licenses and licensing rights of Respondent LEODIS CLYDE MATTHEWS are
19 indefinitely suspended unless or until Respondent pays the sum of \$859.34 for the Commissioner's
20 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
21 payment shall be in the form of a cashier's check made payable to the Bureau of Real Estate. The
22 investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at
23 P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

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EXECUTION OF THE STIPULATION

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

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

DATED: November 10, 2014 
LEODIS CLYDE MATTHEWS, Respondent

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

DATED: 30 Nov 2014 
DICK SINDICICH, Attorney for Respondent
LEODIS CLYDE MATTHEWS

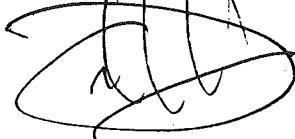
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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent LEODIS CLYDE MATTHEWS and shall become effective at 12 o'clock noon on
DEC 22 2014

IT IS SO ORDERED NOV 24 2014

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner