

FILED

MAR - 7 2016

BUREAU OF REAL ESTATE

By

1 Bureau of Real Estate  
2 320 W. 4<sup>th</sup> St., Room 350  
3 Los Angeles, California 90013  
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7  
8 Telephone: (213) 576-6982

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Accusation of ) No. H-39875 LA  
12 ) L-2015 070 738  
13 )

13 AMBROSE OKORO INYANG, )

14 ) STIPULATION AND AGREEMENT  
15 )  
16 )

16 Respondent. )  
17 )

18 It is hereby stipulated by and between AMBROSE OKORO  
19 INYANG (sometimes referred to as Respondent), and his attorney,  
20 Frank M. Buda, and the Complainant, acting by and through James  
21 R. Peel, Counsel for the Bureau of Real Estate, as follows for  
22 the purpose of settling and disposing of Accusation filed in  
23 this matter.

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

8           2. Respondent has received, read and understands the  
9 Statement to Respondent, the Discovery Provisions of the  
10 Administrative Procedure Act ("APA") and the Accusation filed by  
11 the Bureau of Real Estate in this proceeding.

12           3. On July 15, 2015, Respondent filed a Notice of  
13 Defense pursuant to Section 11506 of the Government Code for the  
14 purpose of requesting a hearing on the allegations in the  
15 Accusation. Respondent hereby freely and voluntarily withdraws  
16 said Notice of Defense. Respondent acknowledges that he  
17 understands that by withdrawing said Notice of Defense he  
18 thereby waives his right to require the Commissioner to prove  
19 the allegations in the Accusation at a contested hearing held in  
20 accordance with the provisions of the APA and that he will waive  
21 other rights afforded to him in connection with the hearing such  
22 as the right to present evidence in defense of the allegations  
23 in the Accusation and the right to cross-examine witnesses.

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1                   4. This Stipulation is based on the factual  
2 allegations contained in the Accusation filed in this  
3 proceeding. In the interest of expedience and economy,  
4 Respondent chooses not to contest these factual allegations, but  
5 to remain silent and understands that, as a result thereof,  
6 these factual statements, will serve as a prima facie basis for  
7 the disciplinary action stipulated to herein. The Real Estate  
8 Commissioner shall not be required to provide further evidence  
9 to prove such allegations.

10                   5. This Stipulation is made for the purpose of  
11 reaching an agreed disposition of this proceeding and is  
12 expressly limited to this proceeding and any other proceeding or  
13 case in which the Bureau of Real Estate ("Bureau"), the state or  
14 federal government, or an agency of this state, another state or  
15 the federal government is involved.

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

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1           7. The Order or any subsequent Order of the Real  
2 Estate Commissioner made pursuant to this Stipulation shall not  
3 constitute an estoppel, merger or bar to any further  
4 administrative or civil proceedings by the Bureau of Real Estate  
5 with respect to any conduct which was not specifically alleged  
6 to be causes for accusation in this proceeding.

7                           DETERMINATION OF ISSUES

8           By reason of the foregoing stipulations and waivers  
9 and solely for the purpose of settlement of the pending  
10 Accusation, it is stipulated and agreed that the following  
11 determination of issues shall be made:

12                                           I

13           The conduct, acts and/or omissions of Respondent  
14 AMBROSE OKORO INYANG, as set forth in the Accusation, constitute  
15 cause for the suspension or revocation of all of the real estate  
16 licenses and license rights of Respondent under the provisions  
17 of Sections 10177(d) and 10177(g) of the Business and  
18 Professions Code ("Code") for violation of Code Section 10145.  
19

20                                           ORDER

21           All licenses and licensing rights of Respondent  
22 AMBROSE OKORO INYANG under the Real Estate Law are revoked  
23 provided, however, a restricted broker license shall be issued  
24 to Respondent pursuant to Section 10156.5 of the Code if  
25 Respondent makes application therefore and pays to the Bureau  
26 the appropriate fee for the restricted license within 90 days  
27 from the effective date of this Decision and Order. The

1 restricted license issued to Respondent shall be subject to all  
2 of the provisions of Section 10156.7 of the Code and to the  
3 following limitations, conditions and restrictions imposed under  
4 authority of Section 10156.6 of the Code:

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

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

16 3. Respondent shall not be eligible to petition for  
17 the issuance of any unrestricted real estate license nor for  
18 removal of any of the conditions, limitations, or restrictions  
19 of a restricted license until two (2) years have elapsed from  
20 the effective date of this Decision and Order. Respondent shall  
21 not be eligible to apply for any unrestricted licenses until all  
22 restrictions attached to the license have been removed.

23 4. Respondent shall, within nine (9) months from the  
24 effective date of this Decision and Order, present evidence  
25 satisfactory to the Commissioner that Respondent has since the  
26 most recent issuance of an original or renewal real estate  
27

1 license, taken and successfully completed the continuing  
2 education requirements of Article 2.5 of Chapter 3 of the Real  
3 Estate Law for renewal of a real estate license. If Respondent  
4 fails to satisfy this condition, Respondent's real estate  
5 license shall automatically be suspended until Respondent  
6 presents evidence satisfactory to the Commissioner of having  
7 taken and successfully completed the continuing education  
8 requirements. Proof of completion of the continuing education  
9 courses must be delivered to the Bureau of Real Estate, Flag  
10 Section at P. O. Box 137013, Sacramento, CA 95813-7013.

11 5 Pursuant to Section 10148 of the Code, Respondent  
12 shall pay the sum of \$9,743.12 for the Commissioner's cost of  
13 the audit which led to this disciplinary action. Respondent  
14 shall pay such cost within sixty (60) days of receiving an  
15 invoice therefore from the Commissioner. Respondent may pay  
16 such cost in six equal monthly installments. Respondent may pay  
17 the audit costs by credit card using the Bureau's Credit Card  
18 Payment form (RE909). Payment of audit costs should not be made  
19 until Respondent receives the invoice. If Respondent fails to  
20 satisfy this condition in a timely manner as provided for  
21 herein, Respondent's real estate licenses shall automatically be  
22 suspended until payment is made in full or until a decision  
23 providing otherwise is adopted following a hearing held pursuant  
24 to this condition.  
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1 Pursuant to Section 10148 of the Code, Respondent  
2 shall pay the Commissioner's reasonable cost, not to exceed  
3 \$12,179 for an audit to determine if Respondent has corrected  
4 the violations found in the Determination of Issues. In  
5 calculating the amount of the Commissioner's reasonable cost,  
6 the Commissioner may use the estimated average hourly salary for  
7 all persons performing audits of real estate brokers, and shall  
8 include an allocation for travel time to and from the auditor's  
9 place of work. Respondent shall pay such cost within 60 days of  
10 receiving an invoice from the Commissioner. Payment of the  
11 audit costs should not be made until Respondent receives the  
12 invoice. If Respondent fails to satisfy this condition in a  
13 timely manner as provided for herein, Respondent's real estate  
14 licenses shall automatically be suspended until payment is made  
15 in full, or until a decision providing otherwise is adopted  
16 following a hearing held pursuant to this condition.

17  
18 6. All licenses and licensing rights of Respondent  
19 are indefinitely suspended unless or until Respondent provides  
20 proof satisfactory to the Commissioner of having taken and  
21 successfully completed the continuing education course on trust  
22 fund accounting and handling specified in paragraph (3) of  
23 subdivision (a) of Section 10170.5 of the Business and  
24 Professions Code. Proof of satisfaction of these requirements  
25 includes evidence that Respondent has successfully completed the  
26 trust fund account and handling continuing education courses, no  
27 earlier than 120 days prior to the effective date of the

1 Decision and Order in this matter. Proof of completion of the  
2 trust fund accounting and handling course must be delivered to  
3 the Bureau of Real Estate, Flag Section at P.O. Box 137013,  
4 Sacramento, CA 95813-7013 or by fax at 916-263-8758, prior to  
5 the effective date of the Decision and Order.

6 7. All licenses and licensing rights of Respondent  
7 are indefinitely suspended unless or until Respondent pays the  
8 sum of \$655 for the Commissioner's reasonable cost of the  
9 investigation and enforcement which led to this disciplinary  
10 action. Said payment shall be in the form of a cashier's check  
11 made payable to the Bureau of Real Estate. The investigative  
12 and enforcement costs must be delivered to the Bureau of Real  
13 Estate, Flag Section at P. O. Box 137013, Sacramento, CA 95813-  
14 7013, prior to the effective date of this Decision and Order.

15 DATED: 2-9-16

James R. Peel  
16 JAMES R. PEEL, Counsel for the  
17 Bureau of Real Estate

18 \* \* \*

19 I have read the Stipulation and Agreement, and its  
20 terms are understood by me and are agreeable and acceptable to  
21 me. I understand that I am waiving rights given to me by the  
22 California Administrative Procedure Act (including but not  
23 limited to Sections 11506, 11508, 11509 and 11513 of the  
24 Government Code), and I willingly, intelligently and voluntarily  
25 waive those rights, including the right of requiring the  
26 Commissioner to prove the allegations in the Accusation at a  
27 hearing at which I would have the right to cross-examine

02/08/2016 NOW 15:44 FAX --- Frank Buda

009/010

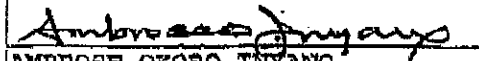
1 witnesses against me and to present evidence in defense and  
2 mitigation of the charges.

3 Respondent can signify acceptance and approval of the  
4 terms and conditions of this Stipulation and Agreement by faxing  
5 a copy of the signature page, as actually signed by Respondent,  
6 to the Bureau at the following telephone/fax number:

7 (213) 576-6917. Respondent agrees, acknowledges and understands  
8 that by electronically sending to the Bureau a fax copy of his  
9 actual signature as it appears on the Stipulation and  
10 Agreement, that receipt of the faxed copy by the Bureau shall be  
11 as binding on Respondent as if the Bureau had received the  
12 original signed Stipulation and Agreement.

13 Further, if the Respondent is represented, the  
14 Respondent's counsel can signify his or her agreement to the  
15 terms and conditions of the Stipulation and Agreement by  
16 submitting that signature via fax.

17 DATED: 02/08/2016

  
18 AMBROSE OKORO INYANG  
19 Respondent

20 DATED: 2-8-15

  
21 FRANK M. BUDA  
22 Counsel for Respondent

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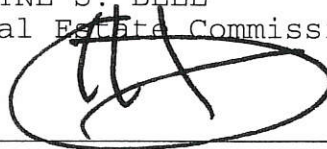
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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision and Order in this matter, and shall  
become effective at 12 o'clock noon on April 6, 2016.

IT IS SO ORDERED

WAYNE S. BELL  
Real Estate Commissioner



By: JEFFREY MASON  
Chief Deputy Commissioner