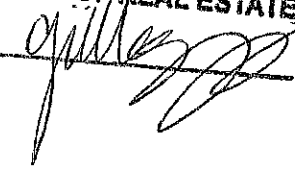


1 BUREAU OF REAL ESTATE
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED

MAR - 8 2016

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) CalBRE No. H-40096 LA
12)
13 WILLIE W. JORDAN,)
14) REVISED STIPULATION AND
15) AGREEMENT IN
Respondent.) SETTLEMENT AND ORDER

16 It is hereby stipulated by and between Respondent WILLIE W. JORDAN (herein
17 "Respondent") and his attorney, Robert Chandler, Esq., and the Complainant, acting by and
18 through Lissete Garcia, Counsel for the Bureau of Real Estate (herein "Bureau"), as follows for
19 the purpose of settling and disposing the Accusation filed on January 7, 2016, in this matter
20 (herein "Accusation"):

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

1 Stipulation and Agreement in Settlement and Order (herein "Stipulation").

2 2. Respondent has received, read and understands the Statement to Respondent,
3 the Discovery Provisions of the APA, and the Accusation filed by the Bureau in this proceeding.

4 3. A Notice of Defense was filed on January 15, 2016, by Respondent pursuant to
5 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations
6 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
7 Respondent acknowledges he understands that by withdrawing said Notice of Defense he will
8 thereby waive his rights to require the Real Estate Commissioner (herein "Commissioner") to
9 prove the allegations in the Accusation at a contested hearing held in accordance with the
10 provisions of the APA and that he will waive other rights afforded to him in connection with the
11 hearing such as the right to present evidence in defense of the allegations in the Accusation and
12 the right to cross-examine witnesses.

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

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

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

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

11 DETERMINATION OF ISSUES

12 The conduct, acts and/or omissions of Respondent WILLIE W. JORDAN, as set
13 forth in the Accusation, constitute cause for the suspension or revocation of all the real estate
14 licenses and license rights of Respondent WILLIE W. JORDAN under the provisions of Sections
15 10176(e), 10177(k) and 10177(d) of the Business and Professions Code ("Code") for violations
16 of Code Sections 10145, 10176(e), 10232(e), 10159.5, and Sections 2835(b) and 2731 of the
17 Regulations of the Real Estate Commissioner, Title 10, Chapter 6, California Code of
18 Regulations.

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1 4. Respondent shall deposit all funds belonging to others in connection with a
2 transaction that is subject to Parts 1 and 2 of Division 4 of the Code into a **neutral** escrow
3 depository.

4 5. All licenses and licensing rights of Respondent are indefinitely suspended
5 unless or until Respondent provides proof satisfactory to the Commissioner, of having taken and
6 successfully completed the continuing education course on trust fund accounting and handling
7 specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and Professions
8 Code. Proof of satisfaction of these requirements includes evidence that Respondent has
9 successfully completed the trust fund account and handling continuing education courses, no
10 earlier than 120 days prior to the effective date of the Order in this matter. **Proof of completion**
11 **of the trust fund accounting and handling course must be delivered to the Bureau of Real**
12 **Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013 or by fax at 916-263-**
13 **3767, prior to the effective date of this Order.**

14 6. All licenses and licensing rights of Respondent are indefinitely suspended
15 unless or until Respondent pays the sum of \$1,088.20 for the Commissioner's reasonable cost
16 of the investigation and enforcement which led to this disciplinary action. Said payment shall
17 be in the form of a cashier's check made payable to the Bureau of Real Estate. **The**
18 **investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag**
19 **Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this**
20 **Decision and Order.**

21 7. Respondent shall, **within six (6) months from the effective date of this**
22 **Decision**, take and pass the Professional Responsibility Examination administered by the Bureau
23 including the payment of the appropriate examination fee. If Respondent fails to satisfy this
24

1 condition, Respondent's real estate license shall automatically be suspended until Respondent
2 passes the examination.

3 8. Respondent shall, within nine (9) months from the effective date of this
4 **Order**, present evidence satisfactory to the Commissioner that Respondent has, since the most
5 recent issuance of an original or renewal real estate license, taken and successfully completed the
6 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal
7 of a real estate license. If Respondent fails to satisfy this condition, Respondent's real estate
8 license shall automatically be suspended until Respondent presents evidence satisfactory to the
9 Commissioner of having taken and successfully completed the continuing education
10 requirements. **Proof of completion of the continuing education courses must be delivered to**
11 **the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.**

12 9. Pursuant to Section 10148 of the Code, Respondent shall pay the sum of
13 \$3,203.41 for the Commissioner's cost of the audit which led to this disciplinary action.
14 **Respondent shall pay such cost within sixty (60) days of receiving an invoice therefore from**
15 **the Commissioner.** Payment of audit costs should not be made until Respondent receives the
16 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,
17 Respondent's real estate license shall automatically be suspended until payment is made in full,
18 or until a decision providing otherwise is adopted following a hearing held pursuant to this
19 condition.

20 Pursuant to Section 10148 of the Code, Respondent shall pay the Commissioner's
21 reasonable cost, not to exceed \$4,004.26, for an audit to determine if Respondent has corrected
22 the violation(s) found in the Determination of Issues. In calculating the amount of the
23 Commissioner's reasonable cost, the Commissioner may use the estimated average hourly salary
24

1 for all persons performing audits of real estate brokers, and shall include an allocation for travel
2 time to and from the auditor's place of work. **Respondent shall pay such cost within sixty (60)**
3 **days of receiving an invoice therefore from the Commissioner.** Payment of the audit costs
4 should not be made until Respondent receives the invoice. If Respondent fails to satisfy this
5 condition in a timely manner as provided for herein, Respondent's real estate license shall
6 automatically be suspended until payment is made in full, or until a decision providing otherwise
7 is adopted following a hearing held pursuant to this condition.

8
9 2/16/2016
DATED

Lisette Garcia
Lisette Garcia, Counsel
Bureau of Real Estate

10
11 * * *

12 Respondent can signify acceptance and approval of the terms and conditions of
13 this Stipulation and Agreement by faxing or electronically e-mailing a copy of the signature
14 page, as actually signed by Respondent, to the Bureau at fax number (916) 263-3767.
15 Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a
16 fax or other electronic copy of Respondent's actual signature as it appears on the Stipulation, that
17 receipt of the faxed or e-mailed copy by the Bureau shall be as binding on Respondent as if the
18 Bureau had received the original signed Stipulation. By signing this Stipulation, Respondent
19 understands and agrees that Respondent may not withdraw his agreement or seek to rescind the
20 Stipulation prior to the time the Commissioner considers and acts upon it or prior to the effective
21 date of the Stipulation and Order.

22 I have read this Stipulation and its terms are understood by me and are agreeable
23 and acceptable to me. I understand that I am waiving rights given to me by the California APA
24

02/19/2016

(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.

2/13/16
DATED

WILLIE W. JORDAN
Respondent

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

DATED: 02/16/16

ROBERT CHANDLER, ESQ.
Attorney for Respondent

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

IT IS SO ORDERED _____, 2016.

WAYNE S. BELL
REAL ESTATE COMMISSIONER

1 (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government
2 Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of
3 requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I
4 would have the right to cross-examine witnesses against me and to present evidence in defense
5 and mitigation of the charges.

6
7
8 _____
DATED

WILLIE W. JORDAN
Respondent

9
10 *I have reviewed the Stipulation and Agreement as to form and content and have advised*
11 *my client accordingly.*

12
13 DATED: _____

ROBERT CHANDLER, ESQ.
Attorney for Respondent

14
15 * * *

16 The foregoing Stipulation and Agreement in Settlement and Order is hereby
17 adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on
18 MAR 28 2016, 2016.

19 IT IS SO ORDERED MARCH 1, 2016.

20
21 WAYNE S. BELL
22 REAL ESTATE COMMISSIONER

23 
24 _____

By: JEFFREY MASON
Chief Deputy Commissioner