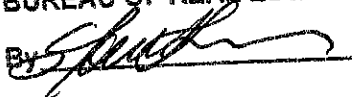


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FILED

JUL 19 2017

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of) No. H-40515 LA
)
ROBERT SIBILIA) STIPULATION AND AGREEMENT
)
Respondent.)
_____)

It is hereby stipulated by and between Robert Sibilias ("Respondent") and Complainant, acting by and through Michelle Nijm as counsel, as follows for the purpose of settling and disposing of the Accusation filed on January 18, 2017, in this matter:

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

2. Respondent has received, read and understood the Statement to Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Bureau of Real Estate ("Bureau") in this proceeding.

3. On February 6, 2017, Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the

1 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
2 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
3 Notice of Defense, Respondent will thereby waive Respondent' right to require the Real Estate
4 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested
5 hearing held in accordance with the provisions of the APA and that Respondent will waive
6 other rights afforded to Respondent in connection with the hearing such as the right to present
7 evidence in defense of the allegations in the Accusation and the right to cross-examine
8 witnesses.

9 4. Respondent, pursuant to the limitations set forth below, hereby admits
10 that the factual allegations in the Accusation filed in this proceeding are true and correct and
11 the Commissioner shall not be required to provide further evidence to prove such allegations.

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

19 6. The Order or any subsequent Order of the Commissioner made pursuant
20 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative
21 or civil proceedings by the Bureau with respect to any matters which were not specifically
22 alleged to be causes for the Accusation in this proceeding.

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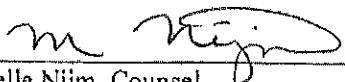
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1 this Decision and Order.

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3 DATED: 6/15/17


Michelle Nijm, Counsel
Bureau of Real Estate

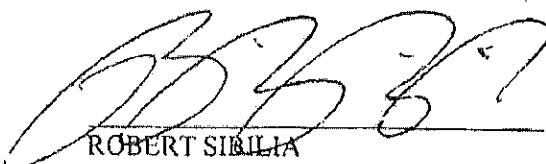
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6 I have read the Stipulation. I understand that I am waiving rights given to me by
7 the California Administrative Procedure Act, (including but not limited to Sections 11521 and
8 11523 of the Government Code), and I willingly, intelligently, and voluntarily waive those
9 rights, including the right to seek reconsideration and the right to seek judicial review of the
10 Commissioner's Decision and Order by way of a writ of mandate.

11 I agree, acknowledge, and understand that I cannot rescind or amend the
12 Stipulation.

13 I can signify acceptance and approval of the terms and conditions of the Stipulation by
14 mailing the original signed Stipulation to: Michelle Nijm, Bureau of Real Estate, 320 West 4th
15 Street, Suite 350, Los Angeles, California 90013-1105. I can also signify acceptance and
16 approval of the terms and conditions of the Stipulation by scanning and emailing or by faxing a
17 copy of the signature page, as actually signed by me, of the Stipulation to the Bureau. I agree,
18 acknowledge, and understand that by electronically sending to the Bureau a scanned or fax
19 copy of my actual signature as it appears on the Stipulation, that receipt of the scanned or faxed
20 copy by the Bureau shall be as binding on me as if the Bureau had received the original signed
21 Stipulation.

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24 DATED: 6/14/17


ROBERT SIBILIA
Respondent

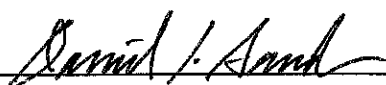
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The foregoing Stipulation and Agreement is hereby adopted by me as my
Decision in this matter, and shall become effective at 12 o'clock noon on
AUG 09 2017

IT IS SO ORDERED 7/11/17

WAYNE S. BELL
REAL ESTATE COMMISSIONER


By: DANIEL J. SANDRI
Chief Deputy Commissioner