

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

FILED

AUG 29 2017

BUREAU OF REAL ESTATE

By *Lisette Garcia*

8 BEFORE THE BUREAU OF REAL ESTATE  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation against ) CalBRE No. H-40572 LA  
13 BRADY DALE BUNTE, ) OAH No. 2017040238  
14 Respondent. ) STIPULATION & AGREEMENT IN  
15 ) SETTLEMENT AND ORDER

16 It is hereby stipulated by and between Respondent BRADY DALE BUNTE  
17 (herein "Respondent") and the Complainant, acting by and through Lissete Garcia, Counsel for  
18 the Bureau of Real Estate (herein "Bureau"), as follows for the purpose of settling and disposing  
19 the Accusation filed on March 9, 2017, in this matter (herein "Accusation"):

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

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

4                   3. On April 3, 2017, Respondent filed a Notice of Defense pursuant to Section  
5 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the  
6 Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.  
7 Respondent acknowledges that he understands that by withdrawing said Notice of Defense he  
8 will thereby waive his right to require the Commissioner to prove the allegations in the  
9 Accusation at a contested hearing held in accordance with the provisions of the APA and that he  
10 will waive other rights afforded to him in connection with the hearing such as the right to present  
11 evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

12                  4. Respondent, pursuant to the limitations set forth below, hereby admits that the  
13 factual allegations in Paragraphs 3 through 11 of the Accusation filed in this proceeding are true  
14 and correct and the Real Estate Commissioner shall not be required to provide further evidence  
15 of such allegations.

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

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

#### 4 DETERMINATION OF ISSUES

5 By reason of the foregoing stipulations, admissions and waivers and solely for the  
6 purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed  
7 that the following determination of issues shall be made:

8 1. The conduct of Respondent, as described in Paragraphs 3 through 9 of the  
9 Accusation is grounds for the suspension or revocation of all of the real estate licenses and  
10 license rights of Respondent under the provision of Sections 498 and 10177(a) of the California  
11 Business and Professions Code.

12 2. The conduct of Respondent, as described in Paragraphs 10 and 11 of the  
13 Accusation is grounds for the suspension or revocation of all of the real estate licenses and  
14 license rights of Respondent under the provision of Sections 10186.2(b) and 10177(d) of the  
15 California Business and Professions Code.

#### 16 ORDER

##### 17 I.

18 All licenses and licensing rights of Respondent BRADY DALE BUNTE under  
19 the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall  
20 be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if  
21 Respondent makes application therefor and pays to the Bureau of Real Estate the appropriate fee  
22 for the restricted license within 90 days from the effective date of this Decision. The restricted  
23 license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the  
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1 Business and Professions Code and to the following limitations, conditions and restrictions  
2 imposed under authority of Section 10156.6 of that Code:

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

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

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

17 4. All licenses and licensing rights of Respondent are indefinitely suspended  
18 unless or until Respondent pays the sum of \$1,747.20 for the Commissioner's reasonable cost of  
19 the investigation and enforcement which led to this disciplinary action. Said payment shall be  
20 in the form of a cashier's check made payable to the Bureau of Real Estate. **The investigative**  
21 **and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O.**  
22 **Box 137007, Sacramento, CA 95813-7007, prior to the effective date of this Order.**  
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1                   5. Respondent shall, within nine (9) months from the effective date of this  
2 **Order**, present evidence satisfactory to the Commissioner that Respondent has, since the most  
3 recent issuance of an original or renewal real estate license, taken and successfully completed the  
4 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal  
5 of a real estate license. If Respondent fails to satisfy this condition, Respondent's real estate  
6 license shall automatically be suspended until Respondent presents evidence satisfactory to the  
7 Commissioner of having taken and successfully completed the continuing education  
8 requirements. **Proof of completion of the continuing education courses must be delivered to**  
9 **the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.**

10                   6. Respondent shall notify the Commissioner in writing within 72 hours of any  
11 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office  
12 Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of Respondent's  
13 arrest, the crime for which Respondent was arrested and the name and address of the arresting  
14 law enforcement agency. Respondent's failure to timely file written notice shall constitute an  
15 independent violation of the terms of the restricted license and shall be grounds for the  
16 suspension or revocation of that license.

17 8/9/2017

18 DATED

Lisette Garcia  
18 Lisette Garcia, Counsel  
Bureau of Real Estate

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20                   Respondent can signify acceptance and approval of the terms and conditions of  
21 this Stipulation and Agreement by electronically emailing a copy of the signature page, as  
22 actually signed by Respondent, to the Bureau. Respondent agrees acknowledges, and  
23 understands that by electronically sending to the Bureau an electronic copy of Respondent's  
24 actual signature as it appears on the Stipulation, that receipt of the emailed copy by the Bureau

1 shall be as binding on Respondent as if the Bureau had received the original signed Stipulation.  
2 By signing this Stipulation, Respondents understands and agrees that Respondent may not  
3 withdraw this agreement or seek to rescind the Stipulation prior to the time the Commissioner  
4 considers and acts upon it or prior to the effective date of the Stipulation and Order.

5 I am representing myself in this matter. I have read this Stipulation and its terms  
6 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
7 rights given to me by the California APA (including but not limited to Sections 11506, 11508,  
8 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive  
9 those rights, including the right of requiring the Commissioner to prove the allegations in the  
10 Accusation at a hearing at which I would have the right to cross-examine witnesses against me  
11 and to present evidence in defense and mitigation of the charges.

12 DATED: 8-3-2017

  
Respondent BRADY DALE BUNTE  
Printed Name BRADY DALE BUNTE

13 \* \* \*

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15 The foregoing Stipulation and Agreement in Settlement and Order is hereby  
16 adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on  
17 SEP 18 2017, 2017.

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19 IT IS SO ORDERED August 24, 2017.

20 WAYNE S. BELL  
21 REAL ESTATE COMMISSIONER

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