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BUREAU OF REAL ESTATE

By *Adelino*

Bureau of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013

Telephone: (213) 576-6982

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	No. H-40803 LA
KAREN DAWN ROSENBAUM,)	
)	<u>STIPULATION AND AGREEMENT</u>
Respondents.)	
)	

It is hereby stipulated by and between KAREN DAWN ROSENBAUM ("Respondent") (license no. 01865787), who is representing herself, and the Complainant, acting by and through Diane Lee, Esq., Counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on September 29, 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.

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

1 Real Estate in this proceeding.

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

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

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

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

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1 2. The restricted license issued to Respondent may be suspended prior to hearing
2 by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that
3 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
4 Law, Regulations of the Real Estate Commissioner, or conditions attaching to this restricted
5 license.

6 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
7 real estate license nor for the removal of any of the conditions, limitations, or restrictions of a
8 restricted license until two (2) years have elapsed from the date of issuance of the restricted
9 license to Respondent.

10 4. With the application for license or with the application for transfer to a new
11 employing broker, Respondent shall submit a statement signed by the prospective employing
12 broker on a form approved by the Bureau of Real Estate, such as the Restricted Salesperson
13 Change Application (RE 214A), wherein the employing broker shall certify as follows:

14 a. That broker has read the Accusation which is the basis for the issuance of the
15 restricted license; and

16 b. That broker will carefully review all transaction documents prepared by the
17 restricted licensee and otherwise exercise close supervision over the
18 licensee's performance of acts for which a license is required.

19 5. Respondent shall notify the Commissioner in writing within 72 hours of any
20 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, P.O. Box
21 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest,
22 the crime for which Respondent was arrested, and the name and address of the arresting law
23 enforcement agency. Respondent's failure to timely file written notice shall constitute an
24 independent violation of the terms of the restricted license and shall be grounds for the
25 suspension or revocation of that license.


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1 II.

2 Pursuant to California Business and Professions Code section 10106, Respondent
3 shall pay \$1,532.76 for the Commissioner's reasonable cost for investigation and enforcement of
4 the matter within six (6) months after the effective date of this Decision. Said payment shall be
5 in the form of a cashier's check or certified check made payable to the Bureau of Real Estate, and
6 sent to the Bureau of Real Estate at: Bureau of Real Estate, Flag Section, P.O. Box 137013,
7 Sacramento, CA 95813-7013.

8 The Commissioner shall suspend the licenses of Respondent pending a hearing
9 held in accordance with California Government Code section 11500, et seq., if payment is not
10 timely made as provided for herein, or as provided for in a subsequent agreement between the
11 Respondent and the Commissioner. The suspension shall remain in effect until payment is made
12 in full or until Respondent enters into an agreement satisfactory to the Commissioner to provide
13 for payment, or until a decision providing otherwise is adopted following a hearing held pursuant
14 to this condition.

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16 DATED: 12/01/2017

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DIANE LEE
18 Counsel for Complainant

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20 I have read the Stipulation and Agreement, and its terms are understood by me
21 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the
22 California Administrative Procedure Act (including but not limited to California Government
23 Code sections 11506, 11508, 11509, and 11513), and I willingly, intelligently, and voluntarily
24 waive those rights, including the right of requiring the Commissioner to prove the allegations in
25 the Accusation at a hearing at which I would have the right to cross-examine witnesses against
26 me and to present evidence in defense and mitigation of the charges. I also understand I may
27 have counsel, but waive that right and am choosing to represent myself in this matter.

1 Respondent shall send a hard copy of the original signed Stipulation and
2 Agreement to: Bureau of Real Estate, 320 West 4th St., Ste. 350, Los Angeles, CA 90013, Attn.:
3 Diane Lee, Esq. In the event of time constraints before an administrative hearing, Respondent
4 can signify acceptance and approval of the terms and conditions of this Stipulation and
5 Agreement by e-mailing a scanned copy of the signature page, as actually signed by Respondent,
6 to Diane Lee, Esq., the Bureau of Real Estate counsel assigned to this case. Respondent agrees,
7 acknowledges, and understands that by electronically sending to the Bureau of Real Estate a
8 copy of Respondent's actual signature as it appears on the Stipulation and Agreement, that
9 receipt of the electronic copy by the Bureau of Real Estate shall be as binding on Respondent as
10 if the Bureau of Real Estate had received the original signed Stipulation and Agreement.


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12 DATED: 11/29/17


KAREN DAWN ROSENBAUM
Respondent

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15 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
16 this matter and shall become effective at 12 o'clock noon on 11/19/18

17 IT IS SO ORDERED December 18, 2017.

18 REAL ESTATE COMMISSIONER
19 ~~WAYNE S. BELL~~

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22 By: DANIEL J. SANDRI
23 Chief Deputy Commissioner
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