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-zhas	Bureau of Real Estate 320 West 4th Street, Suite 350
	2 Los Angeles, California 90013
	3 (213) 576-6982 FILED
	4 MAY 2 5 2018
	BUREAU OF REAL ESTATE
	By In- In I
	BEFORE THE BUREAU OF REAL ESTATE
2	
10	STATE OF CALIFURNIA
11	***
12	in the Wratter of the Accusation of
13	JORGE TOBIAS LEAL, ) NO. H- 41055 LA
14	) STIPULATION AND AGREEMENT
15	) (B & P § 10100.4) Respondent.
16	) )
17	I, JORGE TOBIAS LEAL, ("Respondent") hereby affirm that I am presently
18	licensed and/or have license rights under the Real Estate Law, Part 1, of Division 4, of the
19	California Business and Professions Code as a real estate broker (license no. 01189929).
20	I have been informed by the Bureau of Real Estate that I am the subject of an
21	investigation of possible violations of the Real Estate Law (California Business and Professions
22	Code, Sections 10000, et seq. and Real Estate Regulations, Title 10, Chapter 6, of the California
23	Code of Regulations), which could result in the filing of an Accusation to revoke or suspend my
24	real estate license, and pursuant to California Business and Professions Code section 10100.4, I
25	wish to enter into this Stipulation and Agreement ("Stipulation").
26	I acknowledge that that by entering into this Stipulation, I am stipulating that the
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	STIPULATION AND AGREEMENT Page 1 of 5
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Real Estate Commissioner ("Commissioner") has found grounds to file an Accusation to revoke
 or suspend my real estate license and license rights pursuant to California Business and
 Professions Code sections 10176(a) (misrepresentation) and 10177(g) (negligence).

I understand that by agreeing to this Stipulation and Agreement, I agree to pay,
pursuant to California Business and Professions Code section 10106, the cost of the investigation
and enforcement which resulted in the determination that the Commissioner has grounds to file
an Accusation to revoke or suspend my real estate license and license rights pursuant to
California Business and Professions Code sections 10176(a) and 10177(g). The total amount of
said costs is \$1,426.30.

All issues which were to be contested and all evidence which was to be presented
 by the Bureau of Real Estate and Respondent at a formal hearing on an Accusation, and hearing
 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.
 I understand that the Real Estate Commissioner hereby requests that the
 Commissioner in his discretion that my licenses and license rights be publicly reproved.

I understand that by my signing of this Stipulation, provided this Stipulation is
 accepted and signed by the Commissioner, the Commissioner will not file an Accusation based
 on the grounds herein, and I am waiving my right to a hearing and the opportunity to present
 evidence at the hearing to establish my rehabilitation in order to maintain an unrestricted real
 estate broker license.

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STIPULATION AND AGREEMENT

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1	<u>ORDER</u>	
2	WHEREFORE, THE FOLLOWING ORDER is hereby made:	
3	1. All licenses and licensing rights of Respondent JORGE TOBIAS LEAL are	
4	hereby publicly reproved.	
5	2. Pursuant to California Business and Professions Code section 10106,	
6	Respondent shall, within six (6) months from the effective date of this Decision and Order, pay	
7	the sum of \$1,426.30 for the Commissioner's reasonable cost of the investigation and	
8	enforcement which resulted in the determination that the Commissioner has grounds to file an	
9	Accusation to revoke or suspend Respondent's real estate license. Said payment shall be in the	
10	form of a cashier's check or certified check made payable to the Bureau of Real Estate. The	
11	investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section,	
12	at P.O. Box 137013, Sacramento, CA 95813-7013, within six (6) months from the effective date	
13	of this Decision and Order. If Respondent fails to satisfy this condition, the Commissioner shall	
14	order suspension of Respondent's license until Respondent pays restitution and provides proof	
15	thereof.	
16	3. Respondent shall, within three (3) months from the effective date of this	
17	Decision, pay \$1,460.00 in restitution to Dylan and Ana Mitchell, and send proof satisfactory to	
18	the Commissioner that restitution has been made. Such proof of restitution shall be sent to the	
19	Bureau of Real Estate at: Bureau of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA	
20	95813-7013. If Respondent fails to satisfy this condition, the Commissioner shall order	
21	suspension of Respondent's license until Respondent pays restitution and provides proof thereof.	
22		
23	* * *	
24	EXECUTION OF THE STIPULATION	
25	I, JORGE TOBIAS LEAL, have read this Stipulation. Its terms are understood by	
26	me, and are agreeable and acceptable to me. I understand that I am waiving rights given to me by	
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	STIPULATION AND AGREEMENT	

12.

the California APA (including, but not limited to, California Government Code sections 11506,
11508, 11509, and 11513), and I willingly, intelligently, and voluntarily waive those rights,
including, but not limited to, 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.

I agree, acknowledge, and understand that by signing this Stipulation I am bound
 by its terms as of the date of such signature and that such agreement is not subject to rescission or
 amendment at a later date except by a separate Decision and Order of the Commissioner.

<sup>10</sup> 04-24-20 18 <sup>11</sup> Date

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JORGE TOP LEAL, Respondent

13 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation, herein, by faxing a copy of its signature page, as actually signed by Respondent, 14 to the Bureau of Real Estate at the following fax number (213) 576-6917, and by mailing the 15 16 original signature page to the attention of Diane Lee, Legal Section, Bureau of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, CA 90013. Respondent agrees, acknowledges, and 17 understands that by electronically sending to the Bureau of Real Estate a fax copy of 18 Respondent's actual signature as it appears on the Stipulation, that receipt of the faxed copy by 19 the Bureau of Real Estate shall be as binding on Respondent as if the Bureau of Real Estate had 20 21 received the original signed Stipulation.

I have read the foregoing Stipulation signed by Respondent JORGE TOBIAS
 LEAL. I am satisfied that the hearing for the purpose of requiring further proof as to honesty and
 truthfulness of Respondent need not be called, and that it will not be inimical to the public
 interest to issue a restricted real estate salesperson license to Respondent.

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1 2 3 4 5	Therefore, IT IS HEREBY ORDERED that the real estate salesperson license and licensing rights of Respondent JORGE TOBIAS LEAL are publicly reproved. The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on
6 7 8	WAYNE S. BELL REAL ESTATE COMMISSIONER
9 10	Daniel / Sand
11 12 13	By: DANIEL J. SANDRI Chief Deputy Commissioner
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21	STIPULATION AND AGREEMENT Page 5 of 5