

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

FILED

APR 16 2019

DEPT. OF REAL ESTATE

By 

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6
7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation Against) No. H-41119 LA
12)
13 SOUTHLAND LENDING SERVICES)
14 CORPORATION; and JOHN DAVID)
15 RASMUSSEN, individually and as)
16 Designated Officer of Southland)
Lending Services Corporation,)
Respondents.)

STIPULATION
AND
AGREEMENT

17
18 It is hereby stipulated by and between SOUTHLAND LENDING SERVICES
19 CORPORATION and JOHN DAVID RASMUSSEN, individually and as Designated Officer of
20 Southland Lending Services Corporation (collectively "Respondents"), acting on their own
21 behalf, and the Complainant, acting by and through Amelia V. Vetrone, Counsel for the
22 Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation
23 filed on July 26, 2018, against Respondent:

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

1 this Stipulation and Agreement ("Stipulation").

2 2. Respondents have received, read and understand the Statement to Respondent,
3 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
4 ("Department") in this proceeding.

5 3. Respondents filed Notices of Defense pursuant to Section 11506 of the
6 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
7 Respondents hereby freely and voluntarily withdraw said Notices of Defense. Respondents
8 acknowledge that they understand that by withdrawing said Notices of Defense they thereby
9 waive their right to require the Commissioner to prove the allegations in the Accusation at a
10 contested hearing held in accordance with the provisions of the APA and that they will waive
11 other rights afforded to them in connection with the hearing such as the right to present evidence
12 in their defense, and the right to cross-examine witnesses.

13 4. This Stipulation is based on the factual allegations contained in the
14 Accusation. In the interest of expedience and economy Respondents choose not to contest these
15 allegations but to remain silent and understand that, as a result thereof, these factual allegations,
16 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
17 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
18 prove said factual allegations.

19 5. This Stipulation is made for the purpose of reaching an agreed disposition of
20 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
21 in which the Department, or another licensing agency of this state, another state, or the federal
22 government is involved, and otherwise shall not be admissible in any criminal or civil
23 proceeding.

24 6. It is understood by the parties that the Real Estate Commissioner may adopt
25 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
26 Respondents' real estate licenses and license rights as set forth in the below "Order". In the
27 event that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall

1 be void and of no effect and Respondents shall retain the right to a hearing and proceed on the
2 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
3 made herein.

4 7. The Order or any subsequent Order of the Real Estate Commissioner made
5 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
6 administrative or civil proceedings by the Department with respect to any matters which were
7 not specifically alleged to be causes for accusation in this proceeding.

8 8. Respondents understand that, by agreeing to this Stipulation, Respondents
9 agree to pay, pursuant to Business and Professions Code ("Code") Section 10106, a portion of
10 the cost of the investigation of this matter in the amount of \$2,500.00.

11 DETERMINATION OF ISSUES

12 By reason of the foregoing, it is stipulated and agreed that the following
13 determination of issues shall be made:

14 The conduct, acts or omissions of SOUTHLAND LENDING SERVICES
15 CORPORATION and JOHN DAVID RASMUSSEN, as described in Paragraph 4, above, are a
16 basis for discipline of Respondents' licenses and license rights as a violation of the Real Estate
17 Law, Part 1 of Division 4 of the Code, pursuant to Code Section 10177(g).

18 ORDER

19 WHEREFORE, THE FOLLOWING ORDER is hereby made:


20 I.

21 All licenses and licensed rights of Respondents SOUTHLAND LENDING
22 SERVICES CORPORATION and JOHN DAVID RASMUSSEN under the Real Estate Law are
23 suspended for a period of sixty (60) days from the effective date of this Decision; provided,
24 however, that those sixty (60) days shall be stayed for two years upon the following terms and
25 conditions:

26 1. Respondents shall obey all laws, rules and regulations governing the rights,
27 duties and responsibilities of a real estate licensee in the State of California.

1 severally liable for such payment. Said payment shall be in the form of a cashier's check made
2 payable to the Department of Real Estate. Said check must be delivered to the Department of
3 Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective
4 date of this Decision and Order. If Respondents fail to satisfy this condition in a timely manner
5 as provided for herein, Respondents' real estate licenses shall automatically be suspended until
6 payment is made in full, or until a decision providing otherwise is adopted following a hearing
7 held pursuant to this condition.

8
9 DATED: 3-20-19



Amelia V. Vetrone, Counsel for
Department of Real Estate

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12 * * *

13 EXECUTION OF THE STIPULATION

14 I have read the Stipulation. Its terms are understood by me and are agreeable and
15 acceptable to me. I understand that I am waiving rights given to me by the California
16 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and
17 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights,
18 including the right of requiring the Commissioner to prove the allegations in the Accusation at a
19 hearing at which I would have the right to cross-examine witnesses against me and to present
20 evidence in defense and mitigation of the charges.

21 MAILING

22 Respondents shall mail the original signed signature page of the stipulation herein
23 to Amelia V. Vetrone: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
24 Suite 350, Los Angeles, California 90013-1105.

25 Respondents' signatures below constitute acceptance and approval of the terms
26 and conditions of this Stipulation. Respondents agree, acknowledge and understand that by
27 signing this Stipulation Respondents are bound by its terms as of the date of such signature and

1 that this agreement is not subject to rescission or amendment at a later date except by a separate
2 Decision and Order of the Real Estate Commissioner.

3
4 DATED: 3/18/2019

5 _____
6 SOUTHLAND LENDING SERVICES
7 CORPORATION

8 Respondent

9 By: John David Rasmussen

10 DATED: 3/18/2019

11 _____
12 John David Rasmussen

13 JOHN DAVID RASMUSSEN

14 Respondent

15 * * *

16 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
17 Respondents SOUTHLAND LENDING SERVICES CORPORATION and JOHN DAVID
18 RASMUSSEN, and shall become effective at 12 o'clock noon on _____.

19 IT IS SO ORDERED _____.

20 DANIEL J. SANDRI
21 Acting Real Estate Commissioner
22 _____
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27

1 that this agreement is not subject to rescission or amendment at a later date except by a separate
2 Decision and Order of the Real Estate Commissioner.

3
4 DATED: _____

5 SOUTHLAND LENDING SERVICES
6 CORPORATION
7 Respondent
8 By: _____

9 DATED: _____

10 JOHN DAVID RASMUSSEN
11 Respondent

12 * * *

13
14 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
15 Respondents SOUTHLAND LENDING SERVICES CORPORATION and JOHN DAVID
16 RASMUSSEN, and shall become effective at 12 o'clock noon on **MAY - 6 2019**.

17 IT IS SO ORDERED April 10, 2019.

18 DANIEL J. SANDRI
19 Acting Real Estate Commissioner

20
21 *Daniel J. Sandri*
22