

1 Real Estate in this proceeding.

2 3. Respondent filed a Notice of Defense pursuant to California Government Code
3 section 11506 for the purpose of requesting a hearing on the allegations in the Accusation.

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

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

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

22 6. The Order or any subsequent Order of the Real Estate Commissioner made
23 pursuant to this Stipulation herein shall not constitute an estoppel, merger, or bar to any further
24 administrative or civil proceedings by the Department of Real Estate with respect to any matters
25 which were not specifically alleged to be causes for Accusation in this proceeding, but do
26 constitute a bar, estoppel, and merger as to any allegations specifically and actually contained in
27 the Accusation against Respondent herein.

1 A. Provided, however, that the initial forty-five (45) days of said suspension shall
2 be stayed upon condition that:

3 1. Respondent pays a monetary penalty pursuant to California Business and
4 Professions Code section 10175.2 at the rate of \$50.00 per day for a monetary penalty of
5 \$2,250.00 total.

6 2. Said payment shall be in the form of a cashier's check or certified check made
7 payable to the Recovery Account of the Real Estate Fund. Said check must be received by the
8 Department of Real Estate prior to the effective date of the Decision in this matter.

9 3. No further cause for disciplinary action against the real estate license of
10 Respondent occurs within two (2) years from the effective date of the Decision in this matter.

11 4. If Respondent fails to pay the monetary penalty in accordance with the terms of
12 the Decision, the Commissioner may, without a hearing, order the immediate execution of all or
13 any part of the stayed suspension, in which event Respondent shall not be entitled to any
14 repayment nor credit, prorated or otherwise, for money paid to the Department of Real Estate
15 under the terms of this Decision.

16 5. If Respondent pays the monetary penalty and if no further cause for
17 disciplinary action against the real estate license of Respondent occurs within two (2) years from
18 the effective date of the Decision, the stay hereby granted shall become permanent.

19 B. The remaining forty-five (45) days of the ninety (90) day suspension shall be
20 stayed for two (2) years upon the following terms and conditions:

21 i. Respondent shall obey all laws, rules, and regulations governing the rights,
22 duties, and responsibilities of a real estate licensee in the State of California; and

23 ii. That no final subsequent determination be made after hearing or upon
24 stipulation, that cause for disciplinary action occurred within two (2) years from the effective
25 date of this Decision. Should such a determination be made, the Commissioner may, in her
26 discretion, vacate, and set aside the stay order and re-impose all or a portion of the stayed
27 suspension. Should no such determination be made, the stay imposed herein shall become

1 permanent.

2
3 (INVESTIGATION AND ENFORCEMENT COSTS)

4 II.

5 Respondent shall, within ninety (90) days from the effective date of this Decision
6 and Order, pay the sum of \$1,649.00 for the Commissioner's reasonable cost for investigation
7 and enforcement which led to this disciplinary action. Said payment shall be in the form of a
8 cashier's check made payable to the Department of Real Estate. The investigative and
9 enforcement costs must be delivered to the Department of Real Estate, Flag Section at P.O. Box
10 137013, Sacramento, CA 95813-7013, within ninety (90) from the effective date of this Decision
11 and Order. If the costs of investigation and enforcement are not paid within ninety (90) from the
12 effective date of this Decision and Order, the licenses and license rights of Respondent shall
13 automatically be suspended until full payment is made.

14
15 (AUDIT COSTS)

16 III.

17 1. Pursuant to California Business and Professions Code section 10148,
18 Respondent shall pay \$4,857.37 for the Commissioner's cost of the audit which led to this
19 disciplinary action. Respondent shall pay this \$4,857.37 within thirty (30) days of receiving an
20 invoice therefore from the Commissioner. Payment of audit costs should not be made until
21 Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner
22 as provided for herein, the real estate license of Respondent shall automatically be suspended
23 until payment is made in full, or until a decision providing otherwise is adopted following a
24 hearing held pursuant to this condition.

25 2. Pursuant to California Business and Professions Code section 10148,
26 Respondent shall pay the Commissioner's reasonable cost, not to exceed \$6,071.71, for an audit
27 to determine if Respondent has corrected the violations found in the Determination of Issues. In

1 calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the
2 estimated average hourly salary for all persons performing audits of real estate broker(s), and
3 shall include an allocation for travel time to and from the auditor's place of work. Respondent
4 shall pay such cost within thirty (30) days of receiving an invoice therefor from the
5 Commissioner. Payment of the audit costs should not be made until Respondent receives the
6 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,
7 the real estate license of Respondent shall automatically be suspended until payment is made in
8 full, or until a decision providing otherwise is adopted following a hearing held pursuant to this
9 condition.

10
11 (TRUST FUND COURSE)

12 IV.

13 All licenses and licensing rights of Respondent are indefinitely suspended unless
14 or until Respondent provides proof satisfactory to the Commissioner, of having taken and
15 successfully completed the continuing education course on trust fund accounting and handling
16 specified in California Business and Professions Code section 10170.5(a)(3). Proof of
17 satisfaction of these requirements includes evidence that Respondent has successfully completed
18 the trust fund account and handling continuing education courses, no earlier than 120 days prior
19 to the effective date of the Decision and Order in this matter. Proof of completion of the trust
20 fund accounting and handling course must be delivered to the Department of Real Estate, Flag
21 Section at P.O. Box 137013, Sacramento, CA 95813-7013 or by fax at 916-263-8758, prior to the
22 effective date of this Decision and Order.


23
24 (PROFESSIONAL RESPONSIBILITY EXAMINATION)

25 V.

26 Respondent shall, within six (6) months from the effective date of this Decision,
27 take and pass the Professional Responsibility Examination administered by the Department

1 including the payment of the appropriate examination fee. If Respondent fails to satisfy this
2 condition in a timely manner as provided for herein, the real estate license of Respondent shall
3 automatically be suspended unless or until Respondent provides proof satisfactory to the
4 Commissioner of having satisfied this condition, or until a decision providing otherwise is
5 adopted following a hearing held pursuant to this condition.

6
7 DATED: 01/24/2020


DIANE LEE, ESQ.
Counsel for Department of Real Estate

9 * * *

10 EXECUTION OF THE STIPULATION

11 I, ERLIN CASAS, have read the Stipulation. The Stipulation's terms are
12 understood by me, and are agreeable and acceptable to me. I understand that I am waiving rights
13 given to me by the California APA (including, but not limited to, California Government Code
14 sections 11506, 11508, 11509, and 11513), and I willingly, intelligently, and voluntarily waive
15 those rights, including, but not limited to, the right of requiring the Commissioner to prove the
16 allegations in the Accusation at a hearing at which I would have the right to cross-examine
17 witnesses against me, and to present evidence in defense and mitigation of the charges.

18
19 MAILING AND FACSIMILE

20 Respondent (1) shall mail the original signed signature page of this Stipulation
21 herein to Department of Real Estate, Attention: Legal Section – Diane Lee, 320 West Fourth
22 Street, Suite 350, Los Angeles, California 90013-1105. Respondent shall also (2) facsimile a
23 copy of signed signature page, to the Department of Real Estate at the following telephone/fax
24 number: (213) 576-6917, Attention: Diane Lee.

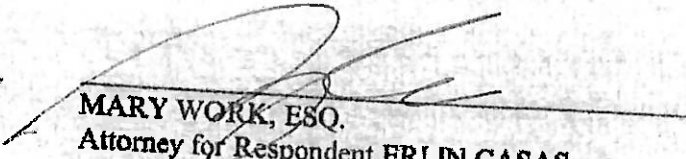
25 A facsimile constitutes acceptance and approval of the terms and conditions of
26 this Stipulation. Respondent agrees, acknowledges, and understands that by electronically
27

1 sending to the Department of Real Estate a facsimile copy of the actual signature of Respondent
2 that receipt of the facsimile copy by the Department of Real Estate shall be as binding on
3 Respondent as if the Department of Real Estate had received the original signed Stipulation.

4
5 DATED: 01/23/20

6 
ERLIN CASAS

7
8 DATED: 1/23/2020

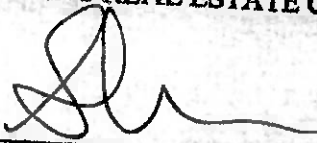
9 
MARY WORK, ESQ.
Attorney for Respondent ERLIN CASAS

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11 * * *

12 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
13 Respondent ERLIN CASAS, and shall become effective at 12 o'clock noon on
14 April 30, 2020.

15 IT IS SO ORDERED 2/27/20, 2020.

16 SANDRA KNAU
17 ACTING REAL ESTATE COMMISSIONER

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1 sending to the Department of Real Estate a facsimile copy of the actual signature of Respondent
2 that receipt of the facsimile copy by the Department of Real Estate shall be as binding on
3 Respondent as if the Department of Real Estate had received the original signed Stipulation.

4
5 DATED: _____
6 ERLIN CASAS

7
8 DATED: _____
9 MARY WORK, ESQ.
10 Attorney for Respondent ERLIN CASAS

11 * * *

12 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
13 Respondent ERLIN CASAS, and shall become effective at 12 o'clock noon on
14 _____, 2020.

15 IT IS SO ORDERED _____, 2020.

16 SANDRA KNAU
17 ACTING REAL ESTATE COMMISSIONER
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