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DEPT. OF REAL ESTATE

By [Signature]

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	No. H-41454 LA
	)	
VANESSA ROMERO,	)	<u>STIPULATION AND AGREEMENT</u>
	)	
Respondent.	)	
_____	)	

It is hereby stipulated by and between Respondent VANESSA ROMERO (“Respondent”), individually, represented by Edgardo Gonzalez, and the Complainant, acting by and through Steve Chu, Counsel for the Department of Real Estate (“Department”), as follows for the purpose of settling and disposing of the Accusation filed on August 7, 2019, (“Accusation”) 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 (“Stipulation”).

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

1                   3.       On August 15, 2019, Respondent filed a Notice of Defense pursuant to  
2 Section 11506 of the Government Code for the purpose of requesting a hearing on the  
3 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice  
4 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said  
5 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate  
6 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested  
7 hearing held in accordance with the provisions of the APA and that Respondent will waive  
8 other rights afforded to Respondent in connection with the hearing such as the right to present  
9 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  
12 that the factual allegations in the Accusation filed in this proceeding are true and correct and the  
13 Commissioner shall not be required to provide further evidence to prove such allegations.

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

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

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DETERMINATION OF ISSUES

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

The conduct, acts, or omissions of Respondent VANESSA ROMERO, as described in the Accusation, constitute cause for the suspension or revocation of all real estate licenses and license rights of Respondent VANESSA ROMERO under California Business and Professions Code (“Code”) sections 490 and 10177(b)(1).

ORDER

All licenses and licensing rights of Respondent VANESSA ROMERO under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions, and restrictions imposed under Section 10156.6 of the Code:

- 1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent’s conviction, plea of guilty, or plea of nolo contendere to a crime which is substantially related to Respondent’s fitness or capacity as a real estate licensee.
- 2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or the conditions attaching to this restricted license.

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1                   3.       Respondent shall not be eligible to apply for the issuance of an  
2 unrestricted real estate license, including designated officer or mortgage loan originator  
3 endorsement, nor for the removal of any of the conditions, limitations or restrictions of a  
4 restricted license until two (2) years have elapsed from the effective date of this Decision and  
5 Order. Respondent withdraws all pending license applications.

6                   4.       Respondent shall, within twelve (12) months from the effective date of  
7 this Decision and Order, present evidence satisfactory to the Commissioner that Respondent  
8 has, since the most recent issuance of an original or renewal real estate license, taken and  
9 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the  
10 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this  
11 condition, Respondent's real estate license shall automatically be suspended until Respondent  
12 presents evidence satisfactory to the Commissioner of having taken and successfully completed  
13 the continuing education requirements. Proof of completion of the continuing education  
14 courses must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,  
15 Sacramento, CA 95813-7013.

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

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1                   6. All licenses and licensing rights of Respondent are indefinitely  
2 suspended unless or until Respondent pays the sum of \$1,436.00 for the Commissioner's  
3 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said  
4 payment shall be in the form of a cashier's check made payable to the Department of Real  
5 Estate. The investigative and enforcement costs must be delivered to the Department of Real  
6 Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective  
7 date of this Decision and Order.

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9 DATED: 10-19-2020



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Steve Chu, Counsel  
Department of Real Estate

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2 I have read the Stipulation and Agreement. I understand that I am waiving rights  
3 given to me by the California Administrative Procedure Act, (including but not limited to  
4 Sections 11521 and 11523 of the Government Code), and I willingly, intelligently, and  
5 voluntarily waive those rights, including the right to seek reconsideration and the right to seek  
6 judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

7 I agree, acknowledge, and understand that I cannot rescind or amend this  
8 Stipulation and Agreement.

9 I can signify acceptance and approval of the terms and conditions of this  
10 Stipulation and Agreement by mailing the original signed Stipulation and Agreement by  
11 October 31, 2020, to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350,  
12 Los Angeles, California 90013-1105.

13  
14 DATED: 8/31/20



VANESSA ROMERO  
Respondent

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17 DATED: 9/1/2020



Edgardo Gonzalez  
Counsel for Respondent  
Approved as to Form

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The foregoing Stipulation and Agreement is hereby adopted by me as my  
Decision in this matter as to Respondent VANESSA ROMERO, and shall become effective at  
12 o'clock noon on December 10, 2020.

IT IS SO ORDERED 10.30.20

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

Douglas R. McCauley