

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

3 Telephone: (213) 576-6982

**FILED**

DEC 02 2020

DEPT. OF REAL ESTATE

By *[Signature]*

8 **DEPARTMENT OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 \*\*\*

11 In the Matter of the Accusation of

} DRE No. H-41535 LA

12 STEVE C ROBLES,

} **STIPULATION AND AGREEMENT**

13 Respondent.

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15  
16 It is hereby stipulated by and between Respondent STEVE C ROBLES  
17 ("Respondent") and his attorney of record, Mary Work, and the Complainant, acting by and  
18 through Kevin H. Sun, Counsel for the Department of Real Estate, as follows for the purpose of  
19 settling and disposing of the Accusation filed on November 12, 2019, in this matter (Case No. H-  
20 41535 LA):

21 I. All issues which were to be contested and all evidence which was to be presented  
22 by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be  
23 held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead  
24 and in place thereof be submitted on the basis of the provisions of this Stipulation and Agreement  
25 in Settlement and Order ("Stipulation").

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

4           3. On or about November 20, 2019, Respondent filed a Notice of Defense pursuant  
5     to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations  
6     in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.  
7     Respondent acknowledges that he understands that by withdrawing said Notice of Defense he will  
8     thereby waive his rights to require the Commissioner to prove the allegations in the Accusation at a  
9     contested hearing held in accordance with the provisions of the APA and that he will waive other  
10    rights afforded to him in connection with the hearing such as the right to present evidence in  
11    defense of the allegations in the Accusation and the right to cross-examine witnesses.

12          4. This Stipulation is based on the factual allegations contained in the Accusation  
13    filed in this proceeding. In the interest of expedience and economy, Respondent chooses not to  
14    contest these factual allegations, but to remain silent and understands that, as a result thereof, these  
15    factual statements, will serve as a prima facie basis for the disciplinary action stipulated to herein.  
16    The Real Estate Commissioner shall not be required to provide further evidence to prove such  
17    allegations.

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

23          6. It is understood by the parties that the Real Estate Commissioner may adopt the  
24    Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and  
25    sanctions on Respondent's real estate license and license rights as set forth in the below "Order".  
26    In the event that the Commissioner in his discretion does not adopt the Stipulation and Agreement,  
27    it shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding

1 on the Accusation under all the provisions of the APA and shall not be bound by any admission or  
2 waiver made herein.

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

7 **DETERMINATION OF ISSUES**

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

11 The conduct of Respondent, as described in the Accusation, are in violation of  
12 California Business and Professions Code ("Code") Sections 10145 and 10148, and Title 10,  
13 Chapter 6, California Code of Regulations ("Regulations") Sections 2831, 2831.1, 2831.2, 2832,  
14 and 2832.1, and are grounds for the suspension or revocation of all of the real estate license and  
15 license rights of Respondent.

16 **ORDER**

17 WHEREFORE, THE FOLLOWING ORDER is hereby made:

18 All licenses and license rights of Respondent STEVE C ROBLES under the  
19 Real Estate Law are suspended for a period of ninety (90) days from the effective date of this  
20 Decision;

21 A. Provided, however, that the initial forty-five (45) days of said suspension shall be  
22 stayed for two (2) years upon the following terms and conditions:

23 1. Respondent STEVE C ROBLES shall pay a monetary penalty pursuant to  
24 Code section 10175.2 at the rate of \$50.00 per day for each of the forty-five (45) days of  
25 suspension for a total monetary penalty of \$2,250.00.

26 2. Said payment shall be in the form of a cashier's check made payable to the  
27 Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag

1 Section, P.O. Box 137013, Sacramento, CA 95813-7013, **prior to the effective date of this**  
2 **Decision and Order.**

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

6 4. If Respondent STEVE C ROBLES fails to pay the monetary penalty in  
7 accordance with the terms and conditions of the Decision, the suspension shall go into effect  
8 automatically with regard to said Respondent. Respondent STEVE C ROBLES shall not be entitled  
9 to any repayment nor credit, prorated or otherwise, for money paid to the Department under the  
10 terms of this Decision and Order.

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

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

16 1. That Respondent STEVE C ROBLES shall obey all laws, rules and  
17 regulations governing the rights, duties and responsibilities of a real estate licensee in the State of  
18 California;

19 2. That Respondent STEVE C ROBLES take and pass the Professional  
20 Responsibility Examination within six (6) months from the effective date of this Decision; and

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

26 C. Pursuant to Code section 10148, Respondent STEVE C ROBLES shall pay the  
27 Commissioner's reasonable costs for the audit which led to this disciplinary action in the amount of

1 **\$11,102.50**. Respondent shall pay such costs within sixty (60) days of receiving an invoice  
2 therefore from the Commissioner. Payment of the audit costs should not be made until Respondent  
3 receives the invoice. If Respondent fails to satisfy this condition in a timely manner as provided for  
4 herein, Respondent's real estate license shall automatically be suspended until payment is made in  
5 full, or until a decision providing otherwise is adopted following a hearing held pursuant to this  
6 condition.

7 Pursuant to Code section 10148 of the Code, Respondent shall pay the  
8 Commissioner's reasonable costs, not to exceed **\$13,878.13**, for a subsequent audit to determine if  
9 Respondent has corrected the violations found in the Determination of Issues. In calculating the  
10 amount of the Commissioner's reasonable costs, the Commissioner may use the estimated average  
11 hourly salary for all persons performing audits of real estate brokers, and shall include an allocation  
12 for travel time to and from the auditor's place of work. Respondent shall pay such costs within  
13 sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of the audit costs  
14 should not be made until Respondent receives the invoice. If Respondent fails to satisfy this  
15 condition in a timely manner as provided for herein, Respondent's real estate license shall  
16 automatically be suspended until payment is made in full, or until a decision, providing otherwise,  
17 is adopted following a hearing held pursuant to this condition.

18  
19 DATED: 9/4/2020

  
Kevin H. Sun, Counsel for  
Department of Real Estate

22 \* \* \*

23 **EXECUTION OF THE STIPULATION**

24 I have read the Stipulation, have discussed it with my counsel, and its terms are  
25 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights  
26 given to me by the California Administrative Procedure Act (including but not limited to Sections  
27 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and

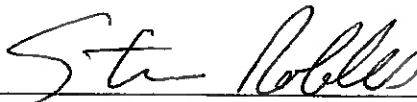
1 voluntarily waive those rights, including the right of requiring the Commissioner to prove the  
2 allegations in the Accusation at a hearing at which I would have the right to cross-examine  
3 witnesses against me and to present evidence in defense and mitigation of the charges.

4 Respondent shall mail the original signed signature page of the stipulation herein to  
5 Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350,  
6 Los Angeles, California 90013-1105.

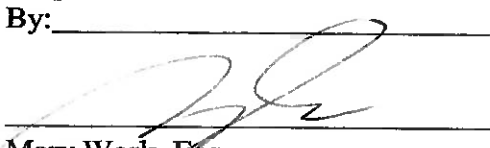
7 In the event of time constraints before an administrative hearing, Respondent can  
8 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by  
9 emailing a scanned copy of the signature page, as actually signed by Respondent, to the  
10 Department counsel assigned to this case. Respondent agrees, acknowledges and understands that  
11 by electronically sending the Department a scan of Respondent's actual signature as it appears on  
12 the Stipulation and Agreement that receipt of the scan by the Department shall be binding on  
13 Respondent as if the Department had received the original signed Stipulation. Respondent shall also  
14 mail the original signed signature page of this Stipulation to the Department counsel.

15 Respondent's signatures below constitute acceptance and approval of the terms and  
16 conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing  
17 this Stipulation, Respondent is bound by its terms as of the date of such signatures and that this  
18 agreement is not subject to rescission or amendment at a later date except by a separate Decision  
19 and Order of the Real Estate Commissioner.

20  
21 DATED: 8-31-20

  
STEVE C ROBLES  
Respondent  
By: \_\_\_\_\_

22  
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24 DATED: 9/1/2020

  
Mary Work, Esq.  
Counsel for Respondents  
Approved as to Form

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent STEVE C ROBLES in this matter and shall become effective at 12 o'clock noon on JAN 01 2021, 2020.

IT IS SO ORDERED 11.23.20, 2020.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

Douglas R. McCauley