

1 Department of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013

3 (213) 576-6982

FILED
OCT 10 2022
DEPT. OF REAL ESTATE
By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-42208 LA
12)
13 RAZ RAZLA,) STIPULATION AND AGREEMENT
14)
15 Respondent.)

16 It is hereby stipulated by and between RAZ RAZLA (hereinafter "Respondent"),
17 represented by Rinat B. Klier Erlich, Esq. and Heidi M. Wyckoff, Esq. of Zelms Erlich & Mack,
18 and the Complainant, acting by and through Julie L. To, counsel for the Department of Real
19 Estate, as follows for the purpose of settling and disposing of the Accusation filed on February
20 17, 2022 in Case No. H-42208 LA, in this matter:

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

26
27 DRE Stipulation & Agreement, H-42208 LA

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

5 3. On March 3, 2022, Respondent filed a Notice of Defense pursuant to Section
6 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the
7 Accusation. Respondent hereby withdraws said Notice of Defense. Respondent acknowledges
8 that he understands that by withdrawing said Notice of Defense he will thereby waive his right
9 to require the Commissioner to prove the allegations in the Accusation at a contested hearing
10 held in accordance with the provisions of the APA and that he will waive other rights afforded
11 to him in connection with the hearing such as the right to present evidence in defense of the
12 allegations in the Accusation and the right to cross-examine witnesses.

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

19 5. Respondent understands that by agreeing to this Stipulation and Agreement,
20 Respondent agrees to pay, pursuant to Section 10106 of the California Business and Professions
21 Code (Code), the cost of the investigation and enforcement which resulted in the determination
22 that Respondent committed the violations found in the Determination of Issues. The amount of
23 said costs is \$1,219.40 (comprised of \$595.40 in investigation costs and \$624.00 in enforcement
24 costs) The Real Estate Commissioner agrees that Respondent's agreement to pay the amount of
25 the investigation and enforcement costs in this case, \$1,219.40 shall be deemed as satisfaction

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1 of his payment of the costs pursuant to Code Section 10106.

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

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

13 DETERMINATION OF ISSUES

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

17 Respondent's felony conviction for violation of 18 United States Code
18 ("U.S.C.") 1623(a) (false declarations before Grand Jury) in United States District Court,
19 Eastern District of California Case No. 2:17-CR-00232 (United States of America v. Raz Razla
20 [and six co-defendants]) constitute grounds for the suspension or revocation of Respondent's
21 real estate salesperson license and associated mortgage loan originator endorsement under the
22 provisions of **Business and Professions Code Sections 490 and 10177(b)**.

23 Respondent's failure to timely report the felony indictment filed against him in
24 United States District Court, Eastern District of California Case No. 2:17-CR-00232 (United
25 States of America v. Raz Razla [and six co-defendants]) (filed September 13, 2018) constitutes
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1 grounds for the suspension or revocation of Respondent's real estate salesperson license and
2 associated mortgage loan originator endorsement under the provisions of **Business and**
3 **Professions Code Section 10186.2.**

4 ORDER

5 WHEREFORE, THE FOLLOWING ORDER is hereby made:

6 All licenses, associated license endorsements, and respective licensing rights of
7 Respondent RAZ RAZLA under the Real Estate Law are revoked; provided, however, a
8 **restricted real estate salesperson license and a restricted mortgage loan origination license**
9 **endorsement** shall be issued to Respondent pursuant to Section 10156.5 of the Business and
10 Professions Code if Respondent makes application therefor and pays to the Department of Real
11 Estate the appropriate fee for the restricted license within ninety (90) days from the effective
12 date of this Decision. The restricted license issued to Respondent shall be subject to all of the
13 provisions of Section 10156.7 of the Business and Professions Code and to the following
14 limitations, conditions and restrictions imposed under authority of that Code:

15 1. The restricted license and the associated mortgage loan originator
16 endorsement issued to Respondent may be suspended prior to hearing by Order of the Real
17 Estate Commissioner in the event of Respondent's conviction or plea of *nolo contendere* to a
18 crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.

19 2. The restricted license and the associated mortgage loan originator endorsement
20 issued to Respondent may be suspended prior to hearing by Order of the Real Estate
21 Commissioner on evidence satisfactory to the Commissioner that Respondent has violated
22 provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the
23 Real Estate Commissioner, or conditions attaching to this restricted license.

24 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
25 real estate license or an unrestricted mortgage loan originator license endorsement, nor for the
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1 removal of any of the conditions, limitations or restrictions of a restricted license or
2 endorsement until three (3) years have elapsed from the effective date of this Decision.

3 4. Respondent shall submit with any application for license or associated
4 mortgage loan originator endorsement under an employing broker, or any application for transfer
5 to a new employing broker, a statement signed by the prospective employing broker on a form
6 approved by the Department of Real Estate which shall certify:

7 (a) That the employing broker has read the Decision of the Commissioner
8 which granted the right to a restricted license and restricted license
9 endorsement; and

10 (b) That the employing broker will exercise close supervision over the
11 performance by the restricted licensee/endorsement holder relating to
12 activities for which a real estate license and license endorsement is
13 required.

14 5. Respondent shall, within twelve (12) months from the effective date of this
15 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
16 since the most recent issuance of an original or renewal real estate license, taken and successfully
17 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
18 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
19 Respondent's real estate license and associated mortgage loan originator endorsement shall
20 automatically be suspended until Respondent presents evidence satisfactory to the Commissioner
21 of having taken and successfully completed the continuing education requirements. Proof of
22 completion of the continuing education courses must be delivered to the Department of Real
23 Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.

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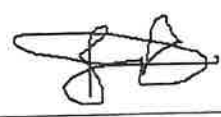
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6. Respondent shall, prior to the issuance of the restricted license and associated mortgage loan originator endorsement, and as a condition of the issuance of said restricted license and restricted license endorsement, pay the sum of \$1,219.40 for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. The investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

(a) If Respondent fails to satisfy this condition, the Commissioner shall order the suspension of the restricted license and the restricted license endorsement until the Respondent presents evidence of payment. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence that payment was timely made. The suspension shall remain in effect until payment is made in full or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

1 Respondent's actual signature as it appears on the Stipulation and Agreement, that receipt of the
2 scan by the Department shall be binding on Respondent as if the Department had received the
3 original signed Stipulation and Agreement.

4 DATED: 09/09/2022



5 RAZ RAZLA, Respondent

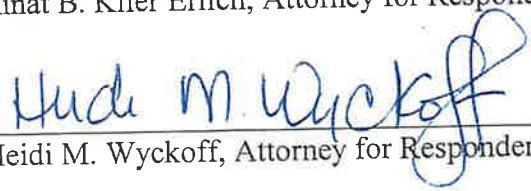
6 * * *

7 *We have reviewed the Stipulation and Agreement as to form and have advised*
8 *our client accordingly.*

9 DATED: _____

10 Rinat B. Klier Erlich, Attorney for Respondent

11 DATED: 9/9/22



12 Heidi M. Wyckoff, Attorney for Respondent

13 * * *

14 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
15 this matter and shall become effective at 12 o'clock noon on _____

16 IT IS SO ORDERED _____

17 REAL ESTATE COMMISSIONER

18 DOUGLAS R. McCAULEY

1 Respondent's actual signature as it appears on the Stipulation and Agreement, that receipt of the
2 scan by the Department shall be binding on Respondent as if the Department had received the
3 original signed Stipulation and Agreement.

4
5 DATED: _____ RAZ RAZLA, Respondent

6 * * *

7
8 *We have reviewed the Stipulation and Agreement as to form and have advised*
9 *our client accordingly.*

10 DATED: 9/14/2022
11 _____
12 Rinat B. Klier Erlich, Attorney for Respondent

13 DATED: _____
14 _____
15 Heidi M. Wyckoff, Attorney for Respondent

16 * * *

17 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
18 this matter and shall become effective at 12 o'clock noon on **NOV 09 2022**.

19 IT IS SO ORDERED 10.4.22.

20 REAL ESTATE COMMISSIONER

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23 DOUGLAS R. McCAULEY