

FILED

FEB - 2 2024

DEPT. OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) No. H-42575 LA
)
LAWRENCE ROBERT OCHSNER,) STIPULATION AND AGREEMENT
)
Respondent.)
_____)

It is hereby stipulated by and between Respondent LAWRENCE ROBERT OCHSNER ("Respondent") and the Complainant, acting by and through Steve Chu, Attorney for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on May 31, 2023, 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.

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1 3. On June 21, 2023, 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
13 the 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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1 b. No final determination be made after hearing or upon stipulation
2 that cause for disciplinary action against any of the real estate
3 licenses or license rights of Respondent occurred within one (1) year
4 from the effective date of this Decision and Order. Should such a
5 determination be made, the Commissioner may, in her discretion,
6 vacate and set aside the stay order and reimpose all or a portion of
7 the stayed suspension. Should no such determination be made, the
8 stay imposed herein shall become permanent.

9 2. Respondent withdraws all pending license applications.

10 3. All licenses, license endorsements, and license rights of Respondent are
11 indefinitely suspended unless or until Respondent pays the sum of \$4,925.00 for restitution for
12 Angelique Ponce-Salas Andrade and Christian E. Andrade Mendez. Said payment shall be in
13 the form of a cashier's check made payable to Angelique Ponce-Salas Andrade and
14 Christian E. Andrade Mendez. The restitution check must be delivered to Steve Chu,
15 Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles,
16 California 90013-1105, prior to the effective date of this Decision and Order.

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1 4. All licenses and licensing rights of Respondent are indefinitely
2 suspended unless or until Respondent pays the sum of \$4,932.02 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: 12/26/2023


Steve Chu, Attorney
Department of Real Estate

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

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

I can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement or a copy faxed to (213) 576-6917 by November 13, 2023; if not, this Stipulation and Agreement is invalid and void because the sum for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action will increase.

DATED: 11/28/23


LAWRENCE ROBERT OCHSNER
Respondent

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