

DEPARTMENT OF REAL ESTATE
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105
Telephone: (213) 576-6982

FILED

MAR - 8 2024

DEPT. OF REAL ESTATE

By- 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation against

DRE No. H-42690 LA
OAH No. 2023100965

CRAIG ALAN LIEBERMAN, individually and as
designated officer for Apartment Investment
Specialists, Inc. and A.I.S. Property Management
Services, Inc., APARTMENT INVESTMENT
SPECIALISTS, INC., and A.I.S. PROPERTY
MANAGEMENT SERVICES, INC.,

**STIPULATION AND
AGREEMENT IN SETTLEMENT
AND ORDER**

Respondents.

It is hereby stipulated by and between Respondents CRAIG ALAN LIEBERMAN
("LIEBERMAN"), individually and as designated officer for Apartment Investment Specialists,
Inc. and A.I.S. Property Management Services, Inc., APARTMENT INVESTMENT
SPECIALISTS, INC. ("AISI"), and A.I.S. Property Management Services, Inc. ("AISPMSI")
(collectively "Respondents"), Respondents are represented by Fredrick M. Ray of Ray & Bishop,
and the Complainant, acting by and through Lissete Garcia, Counsel for the Department of Real
Estate ("Department"), as follows for the purpose of settling and disposing the Accusation filed
on September 5, 2023, with Department Case No. H-42690 LA ("Accusation") in this matter:

1 1. All issues which were to be contested and all evidence which was to be presented
2 by Complainant and Respondents at a formal hearing on the Accusation, which hearing was to be
3 held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall
4 instead and in place thereof be submitted on the basis of the provisions of this Stipulation and
5 Agreement in Settlement and Order ("Stipulation").

6 2. Respondents have received, read, and understand the Statement to Respondent,
7 the Discovery Provisions of the APA, and the Accusation filed by the Department in this
8 proceeding.

9 3. Respondents filed a Notice of Defense pursuant to Section 11506 of the
10 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
11 Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents
12 acknowledge and understand that by withdrawing said Notice of Defense, Respondents will
13 thereby waive Respondents' rights to require the Real Estate Commissioner ("Commissioner") to
14 prove the allegations in the Accusation at a contested hearing held in accordance with the
15 provisions of the APA and that Respondents will waive other rights afforded to Respondents in
16 connection with the hearing such as the right to present evidence in defense of the allegations in
17 the Accusation and the right to cross-examine witnesses.

18 4. Respondents, pursuant to the limitations set forth below, hereby admit that the
19 factual allegations in Paragraphs 3 through 9 of the Accusation filed in this proceeding are true
20 and correct and the Real Estate Commissioner shall not be required to provide further evidence
21 of such allegations.

22 5. It is understood by the parties that the Real Estate Commissioner may adopt this
23 Stipulation and Agreement as her Decision in this matter, thereby imposing the penalty and
24 sanctions on Respondents' real estate licenses and license rights as set forth in the below

1 “Order.” In the event that the Commissioner in her discretion does not adopt this Stipulation, the
2 Stipulation shall be void and of no effect, and Respondents shall retain the right to a hearing and
3 proceeding on the Accusation under all the provisions of the APA and shall not be bound by any
4 admission or waiver made herein.

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

9 7. Respondents understand that by agreeing to this Stipulation, Respondents agree
10 to pay, pursuant to Business and Professions Code Section 10106, the cost of the investigation
11 and enforcement of this matter. The amount of said cost is \$2,580.30.

12 DETERMINATION OF ISSUES

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

16 I.

17 The conduct, acts and/or omissions of Respondent CRAIG ALAN LIEBERMAN as set
18 forth herein above in Paragraph 4, constitute cause for the suspension or revocation of all real
19 estate licenses and license rights of Respondent CRAIG ALAN LIEBERMAN pursuant to the
20 provisions of Business and Professions Code (“Code”) section 10177, subdivision (b), and Code
21 section 490, for violation of 10177, subdivision (b).

22 II.

23 The conduct, acts and/or omissions of Respondents as set forth herein above in Paragraph
24 4, constitute cause for the suspension or revocation of all real estate licenses and license rights of

1 Respondents AISI and AISPMSI pursuant to the provisions of Business and Professions Code
2 ("Code") section 10177, subdivision (b), for Respondent LIEBERMAN's violation of Code
3 section 10177, subdivision (b).

4 ORDER

5 WHEREFORE, THE FOLLOWING ORDER is hereby made:

6 I.

7 All licenses and licensing rights of Respondent CRAIG ALAN LIEBERMAN under the
8 Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be
9 issued to Respondent CRAIG ALAN LIEBERMAN pursuant to Section 10156.5 of the Code if
10 Respondent CRAIG ALAN LIEBERMAN makes application therefor and pays to the
11 Department the appropriate fee for the restricted license within 90 days from the effective date of
12 this Decision and Order. The restricted license issued to Respondent CRAIG ALAN
13 LIEBERMAN shall be subject to all of the provisions of Section 10156.7 of the Code and to the
14 following limitations, conditions and restrictions imposed under authority of Section 10156.6 of
15 that Code:

16 1. The restricted license issued to Respondent CRAIG ALAN LIEBERMAN may be
17 suspended prior to hearing by Order of the Commissioner in the event of Respondent's
18 conviction or plea of nolo contendere to a crime which is substantially related to Respondent's
19 fitness or capacity as a real estate licensee.

20 2. The restricted license issued to Respondent CRAIG ALAN LIEBERMAN may be
21 suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to
22 the Commissioner that Respondent has violated provisions of the California Real Estate Law, the
23 Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to
24 the restricted license.

3. Respondent CRAIG ALAN LIEBERMAN shall not be eligible to petition for the issuance of any unrestricted real estate license nor for removal of any of the conditions, limitations or restrictions of a restricted license until three (3) years have elapsed from the effective date of this Decision and Order. Respondent CRAIG ALAN LIEBERMAN shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.

4. Respondent CRAIG ALAN LIEBERMAN shall notify the Commissioner in writing within **72 hours** of any arrest by sending a certified letter to Commissioner at Department of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

II.

All licenses and licensing rights of Respondent AISI under the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this Decision and Order; provided, however, that:

1. Thirty (30) days of said suspension shall be stayed, upon the condition that Respondent AISI petition pursuant to Section 10175.2 of the Code and pays a monetary penalty pursuant to Section 10175.2 of the Code at a rate of \$50.00 for each day of the suspension for a total monetary penalty of \$ 1,500.00.

a) Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior to

1 the effective date of this Decision and Order. Payment should not be made until the
2 Stipulation has been approved by the Commissioner.

3 b) No further cause for disciplinary action against the Real Estate licenses of Respondent
4 AISI occurs within two (2) years from the effective date of the Decision and Order in this
5 matter.

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

10 d) If Respondent AISI pays the monetary penalty and any other moneys due under this
11 Stipulation and Agreement and if no further cause for disciplinary action against the real
12 estate license of said Respondent occurs within two (2) years from the effective date of
13 this Decision and Order, the entire stay hereby granted pursuant to this Decision and
14 Order, as to said Respondent only, shall become permanent.

15 III.

16 All licenses and licensing rights of Respondent AISPMSI under the Real Estate
17 Law are suspended for a period of thirty (30) days from the effective date of this Decision and
18 Order; provided, however, that:

19 1. Thirty (30) days of said suspension shall be stayed, upon the condition that
20 Respondent AISPMSI petition pursuant to Section 10175.2 of the Code and pays a monetary
21 penalty pursuant to Section 10175.2 of the Code at a rate of \$50.00 for each day of the
22 suspension for a total monetary penalty of \$ 1,500.00.

23 a) Said payment shall be in the form of a cashier's check made payable to the
24 Department of Real Estate. Said check 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 Decision and Order. Payment should not be made until the Stipulation has been approved by the Commissioner.


- b) No further cause for disciplinary action against the Real Estate licenses of Respondent AISPMSI occurs within two (2) years from the effective date of the Decision and Order in this matter.
- c) If Respondent AISPMSI fails to pay the monetary penalty in accordance with the terms and conditions of this Decision and Order, the suspension shall go into effect automatically. Respondent AISPMSI shall not be entitled to any repayment nor credit, prorated or otherwise, for money paid to the Department under the terms of this Decision and Order
- d) If Respondent AISPMSI pays the monetary penalty and any other moneys due under this Stipulation and Agreement and if no further cause for disciplinary action against the real estate license of said Respondent occurs within two (2) years from the effective date of this Decision and Order, the entire stay hereby granted pursuant to this Decision and Order, as to said Respondent only, shall become permanent.

IV.

Respondents are jointly liable to pay the total sum of \$2,580.30 for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action. Prior to the effective date of this Decision, and pursuant to Section 10106 of the Business and Professions Code, Respondents shall pay the Commissioner's total reasonable cost for the investigation and enforcement which led to this disciplinary action in the total, combined amount of \$2,580.30. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. **Said check must be delivered to the Department of Real Estate,**

1 **Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of**
2 **this Decision and Order. Payment of investigation and enforcement costs should not be**
3 **made until the Stipulation has been approved by the Commissioner.** If Respondents fail to
4 satisfy this condition in a timely manner as provided for herein, Respondents' real estate licenses
5 shall automatically be suspended until payment is made in full, or until a decision providing
6 otherwise is adopted following a hearing held pursuant to this condition.

7 DATED: 2/2/24


Lisette Garcia, Counsel
Department of Real Estate

9
10 * * *

11 EXECUTION OF THE STIPULATION

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

20 MAILING

21 Respondents and Respondents' counsel shall, within five (5) business days from signing
22 the Stipulation, mail the original signed signature page(s) of the Stipulation herein to Lisette
23 Garcia, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Room 350, Los
24 Angeles, California 90013-1105.


1 In the event of time constraints before an administrative hearing, Respondents can signify
2 acceptance and approval of the terms and conditions of this Stipulation and Agreement by
3 emailing a copy of the signature page, as actually signed by Respondents, to the Department's
4 counsel assigned to this case. Respondents agree, acknowledge, and understand that by
5 electronically sending to the Department an electronic copy of Respondents' actual signatures, as
6 they appear on the Stipulation, that receipt of the emailed copy by the Department shall be as
7 binding on Respondents as if the Department had received the original signed Stipulation. By
8 signing this Stipulation, Respondents understand and agree that Respondents may not withdraw
9 their agreement or seek to rescind the Stipulation prior to the time the Commissioner considers
10 and acts upon it or prior to the effective date of the Stipulation and Order.

11 Respondents' signatures below constitute acceptance and approval of the terms and
12 conditions of this Stipulation. Respondents agree, acknowledge, and understand that by signing
13 this Stipulation, Respondents are bound by its terms as of the date of such signature and that this
14 agreement is not subject to rescission or amendment at a later date except by a separate Decision
15 and Order of the Real Estate Commissioner.

16
17 DATED: 2-2-2024


Respondent CRAIG ALAN LIEBERMAN

18
19 DATED: 2-2-2024


Respondent APARTMENT INVESTMENT
SPECIALISTS, INC.

20
21 By (Printed Name) 

22 Title: PRESIDENT

1 DATED: 2-2-2024



Respondent A.I.S. PROPERTY MANAGEMENT
SERVICES, INC.

2
3 By (Printed Name) 

4 Title: PRESIDENT

5
6 *I have reviewed this Stipulation and Agreement as to form and content and have advised*
7 *my client accordingly.*

8 DATED: 2/2/2024



Fredrick M. Ray, Esq.
Counsel for Respondent

10 * * *

11
12 The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by
13 me as my Decision in this matter and shall become effective at 12 o'clock noon,
14 on 4/8/2024.

15 IT IS SO ORDERED 2/26/24.

16 CHIKA SUNQUIST
17 REAL ESTATE COMMISSIONER

18 
19 By MARCUS L. McCARTHER
20 Chief Deputy Real Estate Commissioner