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FILED

AUG - 6 2025

DEPT. OF REAL ESTATE

By. [REDACTED]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-42694 LA
)	
CA DREAM HOME GROUP INC.,)	<u>STIPULATION AND AGREEMENT</u>
doing business as)	
Evernest Mortgage Advisors and)	
Evernest Real Estate Advisors,)	
CARLOS ESCARCEGA,)	
individually and as designated officer of)	
CA Dream Home Group Inc., and)	
ROMAN MARTIN III,)	
)	
Respondents.)	

It is hereby stipulated by and between Respondents CA DREAM HOME GROUP INC., and CARLOS ESCARCEGA, and ROMAN MARTIN III, represented by Robert B. Silverman, 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 August 4, 2023, the First Amended Accusation filed on July 18, 2024, and the Second Amended Accusation filed on August 6, 2024, ("Accusation") in this matter:

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

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

9 3. On August 16, 2023, Respondents filed Notices of Defense pursuant to
10 section 11506 of the Government Code for the purpose of requesting a hearing on the
11 allegations in the Accusation. Respondents hereby freely and voluntarily withdraw said
12 Notices of Defense. Respondents acknowledge that Respondents understand that by
13 withdrawing said Notices of Defense, Respondents will thereby waive Respondents’ right to
14 require the Real Estate Commissioner (“Commissioner”) to prove the allegations in the
15 Accusation at a contested hearing held in accordance with the provisions of the APA and that
16 Respondents will waive other rights afforded to Respondents in connection with the hearing
17 such as the right to present evidence in defense of the allegations in the Accusation and the
18 right to cross-examine witnesses.

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

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

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

12 DETERMINATION OF ISSUES

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

16 I.

17 The conduct, acts, and/or omissions of Respondent CA DREAM HOME
18 GROUP INC., as described in the Accusation, are in violation of California Business and
19 Professions Code ("Code") sections 10142 and 10148 and constitute cause for the suspension
20 or revocation of all real estate licenses, license endorsements, and license rights of Respondent
21 CA DREAM HOME GROUP INC. under Code sections 10177(d) and 10177(g).

22 II.

23 The conduct, acts, and/or omissions of Respondent CARLOS ESCARCEGA, as
24 described in the Accusation, are in violation of Code section 10159.2 and Title 10, Chapter 6,
25 California Code of Regulations ("Regulations") section 2725 and constitute cause for the
26 suspension or revocation of all real estate licenses, license endorsements, and license rights of
27 Respondent CARLOS ESCARCEGA under Code sections 10177(d), 10177(g), and 10177(h).

1 III.

2 The conduct, acts, and/or omissions of Respondent ROMAN MARTIN III, as
3 described in the Accusation, are in violation of Code sections 10142, 10177(d), 10177(g), and
4 10177(j) and constitute cause for the suspension or revocation of all real estate licenses, license
5 endorsements, and license rights of Respondent ROMAN MARTIN III under Code
6 sections 10177(d), 10177(g), and 10177(j).

7 ORDER

8 I.

9 All licenses and licensing rights of Respondent CA DREAM HOME
10 GROUP INC. under the Real Estate Law are suspended for a period of thirty (30) days from the
11 effective date of this Decision and Order; provided, however, that:

12 1. Thirty (30) days of said suspension shall be stayed for two (2) years
13 upon the following terms and conditions:

14 a. Respondent shall obey all laws, rules, and regulations governing
15 the rights, duties, and responsibilities of a real estate licensee in the
16 State of California.

17 b. No final determination be made after hearing or upon stipulation
18 that cause for disciplinary action against any of the real estate
19 licenses or license rights of Respondent occurred within one (1) year
20 from the effective date of this Decision and Order. Should such a
21 determination be made, the Commissioner may, in his discretion,
22 vacate and set aside the stay order and reimpose all or a portion of
23 the stayed suspension. Should no such determination be made, the
24 stay imposed herein shall become permanent.

25 2. Respondent withdraws all pending license applications.

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3. All licenses and licensing rights of Respondent CA DREAM HOME GROUP INC. are indefinitely suspended unless or until Respondent CA DREAM HOME GROUP INC. pays, jointly and severally with Respondents CARLOS ESCARCEGA and ROMAN MARTIN III, the sum of \$14,480.80 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 at 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date of this Decision and Order.

II.

All licenses and licensing rights of Respondent CARLOS ESCARCEGA 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 for two (2) years upon the following terms and conditions:

a. Respondent shall obey all laws, rules, and regulations governing the rights, duties, and responsibilities of a real estate licensee in the State of California.

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

2. Respondent withdraws all pending license applications.

1 3. Respondent shall, within nine (9) months from the effective date of this
2 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
3 since the most recent issuance of an original or renewal real estate license, taken and
4 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
5 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this
6 condition, Respondent's real estate license shall automatically be suspended until Respondent
7 presents evidence satisfactory to the Commissioner of having taken and successfully completed
8 the continuing education requirements. Proof of completion of the continuing education
9 courses must be delivered to the Department of Real Estate, Flag Section at 651 Bannon Street,
10 Suite 504, Sacramento, CA 95811.

11 4. Respondent shall, within nine (9) months from the effective date of this
12 Decision and Order, take and pass the Professional Responsibility Examination administered by
13 the Department including the payment of the appropriate examination fee. If Respondent fails
14 to satisfy this condition, all of Respondent's real estate licenses and license rights shall
15 automatically be suspended until Respondent passes the examination. Proof of passing the
16 examination must be delivered to the Department of Real Estate, Flag Section at
17 651 Bannon Street, Suite 504, Sacramento, CA 95811.

18 5. All licenses and licensing rights of Respondent CARLOS ESCARCEGA
19 are indefinitely suspended unless or until Respondent CARLOS ESCARCEGA pays, jointly
20 and severally with Respondents CA DREAM HOME GROUP INC. and ROMAN
21 MARTIN III, the sum of \$14,480.80 for the Commissioner's reasonable cost of the
22 investigation and enforcement which led to this disciplinary action. Said payment shall be in
23 the form of a cashier's check made payable to the Department of Real Estate. The investigative
24 and enforcement costs must be delivered to the Department of Real Estate, Flag Section at
25 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date of this
26 Decision and Order.

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1 III.

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

9 1. The restricted license issued to Respondent may be suspended prior to
10 hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction,
11 plea of guilty, or plea of nolo contendere to a crime which is substantially related to
12 Respondent's fitness or capacity as a real estate licensee.

13 2. The restricted license issued to Respondent may be suspended prior to
14 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the
15 Commissioner that Respondent has violated provisions of the California Real Estate Law, the
16 Subdivided Lands Law, Regulations of the Real Estate Commissioner, or the conditions
17 attaching to this restricted license.

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

23 4. Respondent shall submit with any application for license under an
24 employing broker, or any application for transfer to a new employing broker, a statement
25 signed by the prospective employing real estate broker, on a form approved by the Department
26 of Real Estate, which shall certify:

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- 1 (a) That the employing broker has read the Decision of the
2 Commissioner which granted the right to a restricted license; and
3 (b) That the employing broker will exercise close supervision over
4 the performance by the restricted licensee relating to activities for
5 which a real estate license is required.

6 5. Respondent shall, within nine (9) months from the effective date of this
7 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
8 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 651 Bannan Street,
15 Suite 504, Sacramento, CA 95811.

16 6. Respondent shall, within nine (9) months from the effective date of this
17 Decision and Order, take and pass the Professional Responsibility Examination administered by
18 the Department including the payment of the appropriate examination fee. If Respondent fails
19 to satisfy this condition, all of Respondent's real estate licenses and license rights shall
20 automatically be suspended until Respondent passes the examination. Proof of passing the
21 examination must be delivered to the Department of Real Estate, Flag Section at
22 651 Bannan Street, Suite 504, Sacramento, CA 95811.

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1 7. All licenses and licensing rights of Respondent ROMAN MARTIN III
2 are indefinitely suspended unless or until Respondent ROMAN MARTIN III pays, jointly and
3 severally with Respondents CA DREAM HOME GROUP INC. and CARLOS ESCARCEGA,
4 the sum of \$14,480.80 for the Commissioner's reasonable cost of the investigation and
5 enforcement which led to this disciplinary action. Said payment shall be in the form of a
6 cashier's check made payable to the Department of Real Estate. The investigative and
7 enforcement costs must be delivered to the Department of Real Estate, Flag Section at
8 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date of this
9 Decision and Order.

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11 DATED: 3/20/2025



Steve Chu, Attorney
Department of Real Estate

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We have read the Stipulation and Agreement. We understand that we are waiving rights given to us by the California Administrative Procedure Act, (including but not limited to sections 11521 and 11523 of the Government Code), and we 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.


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

We 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.


DATED: 3/12/25


CA DREAM HOME GROUP INC.
Respondent
By CARLOS ESCARCEGA, as designated
officer of CA DREAM HOME GROUP INC.


DATED: 3/12/25


CARLOS ESCARCEGA
Respondent

DATED: 3/12/25


ROMAN MARTIN III
Respondent

DATED: 3/12/25



Robert B. Silverman
Counsel for Respondents
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 Respondents CA DREAM HOME GROUP INC.,
CARLOS ESCARCEGA, and ROMAN MARTIN III, and shall become effective
at 12 o'clock noon on AUG 26 2025.

IT IS SO ORDERED 7/27/2025.

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER


By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner