

1 DEPARTMENT OF REAL ESTATE  
2 320 West 4th Street, Suite 350  
3 Los Angeles, California 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

AUG - 2 2024

DEPT. OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-42820 LA  
12 ) OAH No. 2024040341  
13 ABRAHAM KOHEN and )  
14 LUIS ERNESTO ARCE, ) STIPULATION AND AGREEMENT  
15 Respondents. ) IN SETTLEMENT AND ORDER

16 It is hereby stipulated by and between Respondent LUIS ERNESTO ARCE  
17 (“Respondent”), acting by and through his attorney, Mary E. Work, Esq. of Mary E. Work,  
18 APC, and the Complainant, acting by and through Kathy Yi, Counsel for the Department of  
19 Real Estate (“Department”), as follows for the purpose of settling and disposing of the First  
20 Amended Accusation (“Accusation”) filed on April 5, 2024, 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  
23 hearing was to be held in accordance with the provisions of the Administrative Procedure Act  
24 (“APA”), shall instead and in place thereof be submitted solely on the basis of the provisions of  
25 this Stipulation and Agreement (“Stipulation”).

26 2. Respondent has received, read and understand the Statement to  
27 Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department

1 of Real Estate in this proceeding.

2           3.       Respondent filed a Notice of Defense pursuant to Section 11506 of the  
3 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
4 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent  
5 acknowledges that Respondent understands that by withdrawing said Notice of Defense,  
6 Respondent will thereby waive Respondent's right to require the Real Estate Commissioner  
7 ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in  
8 accordance with the provisions of the APA and that Respondent will waive other rights  
9 afforded to Respondent in connection with the hearing such as the right to present evidence in  
10 defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

17           5.       This Stipulation is made for the purpose of reaching an agreed  
18 disposition of this proceeding and is expressly limited to the said proceeding and any other  
19 proceedings or cases in which the Department or another licensing agency of this state, another  
20 state, or if the federal government is involved, and otherwise shall not be admissible in any  
21 other criminal or civil proceeding.

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

1 waiver made herein.

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

6   DETERMINATION OF ISSUES

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

10                   The conduct, acts, or omissions of Respondent LUIS ERNESTO ARCE, as  
11 described in the Accusation, constitute cause for the suspension or revocation of all real estate  
12 licenses and license rights of LUIS ERNESTO ARCE under California Business and  
13 Professions Code ("Code") sections 10137, 10177(d), and/or 10177(g).

14   ORDER

15                   **WHEREFORE, THE FOLLOWING ORDER is hereby made:**

16                                   **I. STAYED SUSPENSION OF REAL ESTATE LICENSE**

17                   All licenses and licensing rights of Respondent LUIS ERNESTO ARCE under  
18 the Real Estate Law are suspended for a period of **sixty (60) days** from the effective date of this  
19 Decision; provided, however, that:

20                                   A. The initial thirty (30) days of said suspension shall be stayed upon the  
21 following terms and conditions:

22   1. Respondent shall pay a monetary penalty, pursuant to Code  
23 section 10175.2, at the rate of \$75.00 per day for each of the thirty (30) days of suspension for a  
24 total monetary penalty of **\$2,250.00**.

25   2. Said payment shall be in the form of a cashier's check made  
26 payable to the Department of Real Estate. Said check must be delivered to the Flag Section of  
27 the Department of Real Estate, **prior to the effective date of this Decision and Order**. Said

1 check must be delivered to the following address(es): Department of Real Estate, Flag Section,  
2 P.O. Box 137013, Sacramento, CA 95813-7013, for check that will be delivered prior to July 1,  
3 2024, or Department of Real Estate, Flag Section, 651 Bannon Street, Suite 500-D,  
4 Sacramento, CA 95811, if the check will be delivered after July 1, 2024.

5 3. No further cause for disciplinary action against the real estate  
6 license of Respondent occurs within one (1) year from the effective date of the Decision in this  
7 matter.

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

12 5. If Respondent pays the monetary penalty and if no further cause  
13 for disciplinary action occurs within one (1) year from the effective date of the Decision, the  
14 entire stay hereby granted pursuant to this Decision and Order shall become permanent.

15 B. The remaining thirty (30) days of the sixty (60) day suspension shall be  
16 stayed for one (1) year upon the following terms and conditions:

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

20 2. That no final subsequent determination be made after hearing or  
21 upon stipulation, that cause for disciplinary action occurred within one (1) year from the  
22 effective date of this Decision and Order. Should such a determination be made, the  
23 Commissioner may, in her discretion, vacate and set aside the stay order and re-impose all or a  
24 portion of the stayed suspension. Should no such determination be made under this section, the  
25 stay imposed herein shall become permanent.

26 ///

27 ///

1 **II. INVESTIGATION AND ENFORCEMENT COSTS**


2 Respondent shall pay **\$2,060.07**, which is his proportionate share of for the  
3 Commissioner's reasonable cost of the investigation (\$3,742.15) and enforcement (\$378.00),  
4 for a total of \$4,120.15, that led to this disciplinary action. Said payment shall be in the form  
5 of a cashier's check made payable to the Department of Real Estate. Said check must be  
6 delivered to the Flag Section of the Department of Real Estate, **prior to the effective date of**  
7 **this Decision and Order**. Said check must be delivered to the following address(es):  
8 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, for  
9 check that will be delivered prior to July 1, 2024, or Department of Real Estate, Flag Section,  
10 651 Bannon Street, Suite 500-D, Sacramento, CA 95811, if the check will be delivered after  
11 July 1, 2024. Payment of investigation and enforcement costs should not be made until the  
12 Stipulation has been approved by the Commissioner. If Respondent fails to satisfy this  
13 condition in a timely manner as provided for herein, Respondent's real estate licenses shall  
14 automatically be suspended until payment is made in full, or until a decision proving otherwise  
15 is adopted following a hearing pursuant to this condition.

16 **III. PROFESSIONAL RESPONSIBILITY EXAMINATION**

17 Respondent shall, within six (6) months from the effective date of this Decision  
18 and Order, present evidence satisfactory to the Real Estate Commissioner that he has, since the  
19 most recent issuance of an original or renewal real estate license, taken and successfully passed  
20 the Professional Responsibility Examination administered by the Department of Real Estate. If  
21 Respondent fails to satisfy this condition, Respondent's real estate license shall be  
22 automatically suspended until he presents evidence satisfactory to the Commissioner of having  
23 taken and successfully passing the Professional Responsibility Examination. Proof of  
24 completing and passing the Professional Responsibility Examination must be delivered to the  
25 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, for  
26 mail that will be delivered prior to July 1, 2024, or Department of Real Estate, Flag Section,  
27 651 Bannon Street, Suite 500-D, Sacramento, CA 95811, if mail will be delivered after July 1,

1 2024.

2  
3 DATED: 06/11/2024

4   
Kathy Yi, Counsel  
Department of Real Estate

5 \* \* \*

6  
7 EXECUTION OF THE STIPULATION

8 Respondent has read the Stipulation and Agreement and understands that  
9 Respondent is waiving rights given to Respondent by the California Administrative Procedure  
10 Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and  
11 Respondent willingly, intelligently, and voluntarily waives those rights, including the right to  
12 seek reconsideration and the right to seek judicial review of the Commissioner's Decision and  
13 Order by way of a writ of mandate.

14 Respondent agrees, acknowledges, and understands that Respondent cannot  
15 rescind or amend this Stipulation and Agreement. By signing this Stipulation, Respondent  
16 understands and agrees that Respondent may not withdraw Respondent's agreement or seek to  
17 rescind the Stipulation prior to the time the Commissioner considers and acts upon it or prior to  
18 the effective date of the Stipulation and Order.


19 Respondent can signify acceptance and approval of the terms and conditions of  
20 this Stipulation and Agreement by electronically e-mailing a copy of the signature page, as  
21 actually signed by Respondent, to the Department. Respondent agrees, acknowledges, and  
22 understands that by electronically sending to the Department an electronic copy of  
23 Respondent's actual signature, as it appears on the Stipulation, that receipt of the emailed copy  
24 by the Department shall be as binding on Respondent as if the Department had received the  
25 original signed Stipulation. Alternatively, Respondent can signify acceptance and approval of  
26 the terms and conditions of this Stipulation and Agreement by mailing the original signed  
27 Stipulation and Agreement to: Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite

1 350, Los Angeles, California 90013-1105.

2  
3 DATED: 6-10-2024

  
4 ✓ LUIS ERNESTO ARCE  
Respondent

5  
6 DATED: 6/11/2024

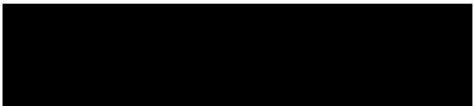
  
7 ✓ Mary E. Work, Esq.  
8 Counsel for Respondent LUIS ERNESTO ARCE  
Approved as to Form

9 \* \* \*

10 The foregoing Stipulation and Agreement is hereby adopted by me as my  
11 Decision in this matter as to Respondent LUIS ERNESTO ARCE and shall become effective at  
12 12 o'clock noon on 8/22/2024.

13 IT IS SO ORDERED 7/29/2024.

14  
15 CHIKA SUNQUIST  
REAL ESTATE COMMISSIONER

16  
17   
18 By: MARCUS L. McCARTHER  
19 Chief Deputy Real Estate Commissioner

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By- [REDACTED]

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-42820 LA  
12 ) OAH No. 2024040341  
13 ABRAHAM KOHEN and )  
14 LUIS ERNESTO ARCE, ) STIPULATION AND AGREEMENT  
15 Respondents. ) IN SETTLEMENT AND ORDER

16 It is hereby stipulated by and between Respondent ABRAHAM KOHEN, a.k.a.  
17 "Abraham Avi Kohen" ("Respondent"), acting by and through his attorney, Joshua R.  
18 Shoumer, Esq. of Shoumer Law, and the Complainant, acting by and through Kathy Yi,  
19 Counsel for the Department of Real Estate ("Department"), as follows for the purpose of  
20 settling and disposing of the First Amended Accusation ("Accusation") filed on April 5, 2024,  
21 in this matter:

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

27 2. Respondent has received, read and understand the Statement to



1 Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department  
2 of Real Estate in this proceeding.

3           3.       Respondent filed a Notice of Defense pursuant to Section 11506 of the  
4 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
5 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent  
6 acknowledges that Respondent understands that by withdrawing said Notice of Defense,  
7 Respondent will thereby waive Respondent’s right to require the Real Estate Commissioner  
8 (“Commissioner”) to prove the allegations in the Accusation at a contested hearing held in  
9 accordance with the provisions of the APA and that Respondent will waive other rights  
10 afforded to Respondent 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  
13 Accusation filed in this proceeding. In the interest of expedience and economy, Respondent  
14 chooses not to contest these factual allegations, but to remain silent and understands that, as a  
15 result thereof, these factual statements, will serve as a prima facie basis for the disciplinary  
16 action stipulated to herein. The Real Estate Commissioner shall not be required to provide  
17 further evidence to prove such allegations.

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

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

1 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 Commissioner made pursuant  
4 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or  
5 civil proceedings by the Department with respect to any matters which were not specifically  
6 alleged to be causes for the Accusation in this proceeding.

7 **DETERMINATION OF ISSUES**

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

11 The conduct, acts, or omissions of Respondent ABRAHAM KOHEN, as  
12 described in the Accusation, constitute cause for the suspension or revocation of all real estate  
13 licenses and license rights of ABRAHAM KOHEN under California Business and Professions  
14 Code (“Code”) sections 10137, 10177(d), and/or 10177(g).

15 **ORDER**

16 **WHEREFORE, THE FOLLOWING ORDER is hereby made:**

17 **I. STAYED SUSPENSION OF REAL ESTATE LICENSE**

18 All licenses and licensing rights of Respondent ABRAHAM KOHEN under the  
19 Real Estate Law are suspended for a period of **sixty (60) days** from the effective date of this  
20 Decision; provided, however, that:

21 A. The initial thirty (30) days of said suspension shall be stayed upon the  
22 following terms and conditions:

23 1. Respondent shall pay a monetary penalty, pursuant to Code  
24 section 10175.2, at the rate of \$75.00 per day for each of the thirty (30) days of suspension for a  
25 total monetary penalty of **\$2,250.00**.

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

1 the Department of Real Estate, **prior to the effective date of this Decision and Order**. Said  
2 check must be delivered to the following address(es): Department of Real Estate, Flag Section,  
3 P.O. Box 137013, Sacramento, CA 95813-7013, for check that will be delivered prior to July 1,  
4 2024, **or** Department of Real Estate, Flag Section, 651 Bannon Street, Suite 500-D,  
5 Sacramento, CA 95811, if the check will be delivered after July 1, 2024.

6 3. No further cause for disciplinary action against the real estate  
7 license of Respondent occurs within one (1) year from the effective date of the Decision in this  
8 matter.

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

13 5. If Respondent pays the monetary penalty and if no further cause  
14 for disciplinary action occurs within one (1) year from the effective date of the Decision, the  
15 entire stay hereby granted pursuant to this Decision and Order shall become permanent.

16 B. The remaining thirty (30) days of the sixty (60) day suspension shall be  
17 stayed for one (1) year upon the following terms and conditions:

18 1. That Respondent shall obey all laws, rules and regulations  
19 governing the rights, duties and responsibilities of a real estate licensee in the State of  
20 California; and

21 2. That no final subsequent determination be made after hearing or  
22 upon stipulation, that cause for disciplinary action occurred within one (1) year from the  
23 effective date of this Decision and Order. Should such a determination be made, the  
24 Commissioner may, in her discretion, vacate and set aside the stay order and re-impose all or a  
25 portion of the stayed suspension. Should no such determination be made under this section, the  
26 stay imposed herein shall become permanent.

27 ///

1 **II. INVESTIGATION AND ENFORCEMENT COSTS**

2 Respondent shall pay **\$2,060.08**, which is his proportionate share of for the  
3 Commissioner’s reasonable cost of the investigation (\$3,742.15) and enforcement (\$378.00),  
4 for a total of \$4,120.15, that led to this disciplinary action. Said payment shall be in the form  
5 of a cashier’s check made payable to the Department of Real Estate. Said check must be  
6 delivered to the Flag Section of the Department of Real Estate, **prior to the effective date of**  
7 **this Decision and Order**. Said check must be delivered to the following address(es):  
8 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, for  
9 check that will be delivered prior to July 1, 2024, or Department of Real Estate, Flag Section,  
10 651 Bannon Street, Suite 500-D, Sacramento, CA 95811, if the check will be delivered after  
11 July 1, 2024. Payment of investigation and enforcement costs should not be made until the  
12 Stipulation has been approved by the Commissioner. If Respondent fails to satisfy this  
13 condition in a timely manner as provided for herein, Respondent’s real estate licenses shall  
14 automatically be suspended until payment is made in full, or until a decision proving otherwise  
15 is adopted following a hearing pursuant to this condition.

16 **III. PROFESSIONAL RESPONSIBILITY EXAMINATION**

17 Respondent shall, within six (6) months from the effective date of this Decision  
18 and Order, present evidence satisfactory to the Real Estate Commissioner that he has, since the  
19 most recent issuance of an original or renewal real estate license, taken and successfully passed  
20 the Professional Responsibility Examination administered by the Department of Real Estate. If  
21 Respondent fails to satisfy this condition, Respondent’s real estate license shall be  
22 automatically suspended until he presents evidence satisfactory to the Commissioner of having  
23 taken and successfully passing the Professional Responsibility Examination. Proof of  
24 completing and passing the Professional Responsibility Examination must be delivered to the  
25 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, for  
26 mail that will be delivered prior to July 1, 2024, or Department of Real Estate, Flag Section,  
27 651 Bannon Street, Suite 500-D, Sacramento, CA 95811, if mail will be delivered after July 1,

1 2024.

2

3 DATED: 06/11/2024



4 Kathy Yi, Counsel  
5 Department of Real Estate

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EXECUTION OF THE STIPULATION

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Respondent has read the Stipulation and Agreement and understands that Respondent is waiving rights given to Respondent by the California Administrative Procedure Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and Respondent willingly, intelligently, and voluntarily waives 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.

Respondent agrees, acknowledges, and understands that Respondent cannot rescind or amend this Stipulation and Agreement. By signing this Stipulation, Respondent understands and agrees that Respondent may not withdraw Respondent's agreement or seek to rescind the Stipulation prior to the time the Commissioner considers and acts upon it or prior to the effective date of the Stipulation and Order.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by electronically e-mailing a copy of the signature page, as actually signed by Respondent, to the Department. Respondent agrees, acknowledges, and understands that by electronically sending to the Department an electronic copy of Respondent's actual signature, as it appears on the Stipulation, that receipt of the emailed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation. Alternatively, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to: Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite

1 350, Los Angeles, California 90013-1105.

2  
3 DATED: 6/11/2024



4 ABRAHAM KOHEN  
Respondent

5  
6 DATED: 6/11/2024



7 Joshua R. Shoumer, Esq.  
Counsel for Respondent ABRAHAM KOHEN  
Approved as to Form

8 \* \* \*

9  
10 The foregoing Stipulation and Agreement is hereby adopted by me as my  
11 Decision in this matter as to Respondent ABRAHAM KOHEN and shall become effective at  
12 12 o'clock noon on 8/22/2024.

13 IT IS SO ORDERED 7/29/2024

14  
15 CHIKA SUNQUIST  
REAL ESTATE COMMISSIONER



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17  
18 By: MARCUS L. McCARTHER  
Chief Deputy Real Estate Commissioner

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