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OCT 02 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-42854 LA
)
RENE CUAUHTEMOC GARCIA,) STIPULATION AND AGREEMENT
doing business as Express Home Loans,)
Express Property Management Services,)
Express Realty, Express Realty & Investments,)
Express Realty & Property Management,)
Rene Rick Garcia, and Rick Garcia,)
)
Respondent.)

It is hereby stipulated by and between Respondent RENE CUAUHTEMOC GARCIA ("Respondent"), represented by Frank Buda, 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 16, 2024, 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").

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

4 3. On September 4, 2024, Respondent filed a Notice of Defense pursuant to
5 Section 11506 of the Government Code for the purpose of requesting a hearing on the
6 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
7 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
8 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate
9 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested
10 hearing held in accordance with the provisions of the APA and that Respondent will waive
11 other rights afforded to Respondent in connection with the hearing such as the right to present
12 evidence in defense of the allegations in the Accusation and the right to cross-examine
13 witnesses.

14 4. Respondent, pursuant to the limitations set forth below, hereby admits
15 that the factual allegations in the Accusation filed in this proceeding are true and correct and
16 the Commissioner shall not be required to provide further evidence to prove such allegations.

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

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

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

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

11 4. If employed as a broker-associate, Respondent shall submit with any
12 application for license under an employing broker, or any application for transfer to a new
13 employing broker, a statement signed by the prospective employing real estate broker, on a
14 form approved by the Department of Real Estate, which shall certify:

- 15 (a) That the employing broker has read the Decision of the
16 Commissioner which granted the right to a restricted license; and
17 (b) That the employing broker will exercise close supervision over
18 the performance by the restricted licensee relating to activities for
19 which a real estate license is required.

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1 5. All licenses and licensing rights of Respondent are indefinitely
2 suspended unless or until Respondent provides proof satisfactory to the Commissioner of
3 having taken and successfully completed the continuing education course on trust fund
4 accounting and handling specified in Code section 10170.5(a)(3). Proof of satisfaction of this
5 requirement includes evidence that Respondent has successfully completed the trust fund
6 accounting and handling continuing education course within one hundred twenty (120) days
7 prior to the effective date of this Decision and Order. Proof of completion of the trust fund
8 accounting and handling course must be delivered to the Department of Real Estate, Flag
9 Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date of
10 this Decision and Order.

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

21 7. All licenses, license endorsements, and license rights of Respondent are
22 indefinitely suspended unless or until Respondent pays the sum of \$9,145.00 for the
23 Commissioner's cost of the audit which led to this disciplinary action pursuant to Code
24 section 10148. Respondent shall pay such cost within sixty (60) days of receiving an invoice
25 therefore from the Commissioner. Said payment shall be in the form of a cashier's check made
26 payable to the Department of Real Estate. The audit cost must be delivered to the Department
27 of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811.

1 8. All licenses, license endorsements, and license rights of Respondent are
2 indefinitely suspended unless or until Respondent pays the sum of \$8,700.05 for the
3 Commissioner's reasonable cost of the investigation and enforcement which led to this
4 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
5 Department of Real Estate. The investigative and enforcement costs must be delivered to the
6 Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504,
7 Sacramento, CA 95811, prior to the effective date of this Decision and Order.

8 9. Respondent shall pay the Commissioner's reasonable cost, not to exceed
9 \$11,431.25, for any subsequent audit to determine if Respondent has corrected the violations
10 found in the Determination of Issues. In calculating the amount of the Commissioner's
11 reasonable cost, the Commissioner may use the estimated average hourly salary for all persons
12 performing audits of real estate brokers, and shall include an allocation for travel time to and
13 from the auditor's place of work. Respondent shall pay such cost within sixty (60) days of
14 receiving an invoice therefore from the Commissioner. If Respondent fails to satisfy this
15 condition in a timely manner as provided for herein, Respondent real estate licenses shall
16 automatically be suspended until payment is made in full, or until a decision providing
17 otherwise is adopted following a hearing held pursuant to this condition.

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19 DATED: 8/22/2025

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22 Steve Chu, Attorney
23 Department of Real Estate
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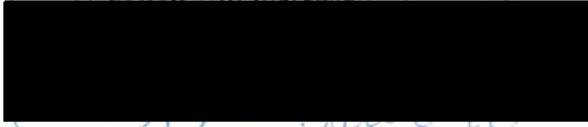
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I have read the Stipulation and Agreement. I understand that I am waiving rights given to me by the California Administrative Procedure Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and I willingly, intelligently, 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 August 22, 2025; 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: 8/21/2025


RENE CUAUHTEMOC GARCIA
Respondent

DATED: 8-21-2025


Frank Buda
Counsel for Respondent
Approved as to Form

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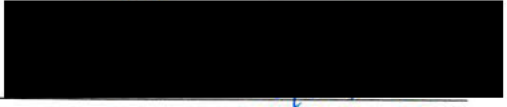
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2 The foregoing Stipulation and Agreement is hereby adopted by me as my
3 Decision in this matter as to Respondent RENE CUAUHTEMOC GARCIA, and shall become
4 effective at 12 o'clock noon on OCT 22 2025.

5 IT IS SO ORDERED 9/24/2025

6 CHIKA SUNQUIST
7 REAL ESTATE COMMISSIONER

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9 By: Marcus L. McCarther
10 Chief Deputy Real Estate Commissioner