

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982

FILED

OCT 16 2024

DEPT. OF REAL ESTATE

By- [REDACTED]

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

* * *

10 In the Matter of the Accusation against
11 HOWARD WILLIAM WATSON,
12 Respondent.

) DRE No. H-42876 LA
) OAH No. 2024070201
)

13 Order Suspending Restricted Real Estate License of
14 HOWARD WILLIAM WATSON,
15 Respondent.

) DRE No. H-38914 LA
) OAH No. 2024070534
)

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17 **STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER**

18 It is hereby stipulated by and between Respondent HOWARD WILLIAM WATSON
19 ("Respondent"), represented by Tyler Law, LLP, and the Complainant, acting by and through
20 Lissete Garcia, Counsel for the Department of Real Estate ("Department"), as follows for the
21 purpose of settling and disposing of the Accusation filed on May 20, 2024, and the Order
22 Suspending Restricted Real Estate License ("Suspension Order") filed on June 19, 2024, in the
above-referenced matters:

23 1. All issues which were to be contested and all evidence which was to be
24 presented by Complainant and Respondent at a formal hearing on the Accusation and Suspension

1 Order, which hearing was to be held in accordance with the provisions of the Administrative
2 Procedure Act ("APA"), shall instead and in place thereof be submitted solely on the basis of the
3 provisions of this Stipulation and Agreement ("Stipulation").

4 2. Respondent has received, read and understands the Statement to
5 Respondent, the Discovery Provisions of the APA, the Accusation, and the Suspension Order
6 filed by the Department of Real Estate in these proceedings.

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

17 4. Respondent, pursuant to the limitations set forth below, hereby admits that
18 the factual allegations in the Accusation and Suspension Order filed in this proceeding are true
19 and correct and the Commissioner shall not be required to provide further evidence to prove such
20 allegations.

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

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

5 DETERMINATION OF ISSUES

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

9 I.

10 The conduct, acts, and/or omissions of Respondent HOWARD WILLIAM
11 WATSON, as described in the Accusation and Suspension Order, constitute cause for the
12 suspension or revocation of all real estate licenses and license rights of Respondent HOWARD
13 WILLIAM WATSON under California Business and Professions Code ("Code") sections 10177,
subdivisions (b) and (k), and Code section 10186.2

14 ORDER

15 I.

16 All licenses, restricted licenses, and licensing rights of Respondent HOWARD
17 WILLIAM WATSON under the Real Estate Law are revoked; provided, however, a restricted
18 real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the
19 Code if Respondent makes application therefor and pays to the Department the appropriate fee
20 for the restricted license within ninety (90) days from the effective date of this Decision. The
21 restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7
of the Code and to the following limitations, conditions, and restrictions imposed under Section
10156.6 of the Code:

22 1. The restricted license issued to Respondent may be suspended prior to
23 hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction, plea
24 of guilty, or plea of nolo contendere to a crime which is substantially related to Respondent's

1 fitness or capacity as a real estate licensee.

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

7 3. Respondent shall not be eligible to apply for the issuance of an
8 unrestricted real estate license, including designated officer or mortgage loan originator
9 endorsement, nor for the removal of any of the conditions, limitations or restrictions of a
10 restricted license until four (4) years have elapsed from the effective date of this Decision and
11 Order. Respondent withdraws all pending license applications.

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

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

21 5. Respondent shall, within nine (9) months from the effective date of this
22 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
23 since the most recent issuance of an original or renewal real estate license, taken and successfully
24 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
Respondent's real estate license shall automatically be suspended until Respondent presents
evidence satisfactory to the Commissioner of having taken and successfully completed the

1 continuing education requirements. Proof of completion of the continuing education courses
2 must be delivered to the Department of Real Estate, Flag Section at 651 Bannon Street, Suite
3 504, Sacramento, CA 95811.

4 6. Respondent shall notify the Commissioner in writing within 72 hours of
5 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate,
6 Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811. The letter shall set forth
7 the date of Respondent's arrest, the crime for which Respondent was arrested and the name and
8 address of the arresting law enforcement agency. Respondent's failure to timely file written
9 notice shall constitute an independent violation of the terms of the restricted license and shall be
10 grounds for the suspension or revocation of that license.

11 7. All licenses, license endorsements, and license rights of Respondent are
12 indefinitely suspended unless or until Respondent pays the sum of \$6,041.60 for the
13 Commissioner's reasonable cost of the investigation and enforcement which led to this
14 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
15 Department of Real Estate. The investigative and enforcement costs must be delivered to the
16 Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA
17 95811, prior to the effective date of this Decision and Order.

18 DATED: 09/05/2024

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20 Lissete Garcia, Counsel
21 Department of Real Estate

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EXECUTION OF THE STIPULATION

I have read the Stipulation. Its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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MAILING

Respondent shall mail the original signed signature page of the stipulation herein to Lisette Garcia: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105.

In the event of time constraints before an administrative hearing, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by emailing a copy of the signature page, as actually signed by Respondent, to the Department counsel assigned to this case. Respondent agrees, acknowledges and understands that by electronically sending the Department a copy of Respondent's actual signature as it appears on the Stipulation and Waiver, that receipt of the copy by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation and Waiver. Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing this Stipulation Respondent is bound by its terms as of the date of such signature and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.

Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing this Stipulation Respondent is bound by its terms as of the date of such signature and that

1 this agreement is not subject to rescission or amendment at a later date except by a separate
2 Decision and Order of the Real Estate Commissioner.

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4 DATED: 09/05/2024


HOWARD WILLIAM WATSON
Respondent

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7 DATED: 09/05/24


Counsel for for Respondent
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 HOWARD WILLIAM WATSON, and shall become
12 effective at 12 o'clock noon on 11/27/2024.

13 IT IS SO ORDERED

10/10/2027

14 CHIKA SUNQUIST
REAL ESTATE COMMISSIONER

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16 By: Marcus L. McCarther
17 Chief Deputy Real Estate Commissioner
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