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APR 1 6 2020

DEPT. OF REAL ESTATE

# BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

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In the Matter of the Accusation against:

SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management.

Respondents.

No. H-03247 FR OAH No. 2019080804

### ORDER EXTENDING TIME

On March 6, 2020, a Stipulation and Agreement in Settlement and Order was rendered in the above-entitled matter, ordering the suspension of Respondent SYNERGY PROPERTY MANAGEMENT's real estate license, stayed upon terms and conditions. Said Order will become effective April 27, 2020.

Said Order provided that Respondent is to pay a total sum of \$5,265.65 for the Commissioner's investigation and enforcement costs prior to the effective date of the Order.

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Good cause having been shown, the time during which Respondent must satisfy the above condition is extended to October 27, 2020.

This Order shall be effective immediately.

IT IS SO ORDERED

SANDRA KNAU ACTING REAL ESTATE COMMISSIONER Department of Real Estate 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105 Telephone: (213) 576-6982 FILED

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DEPT. OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

.4

In the Matter of the Accusation against

SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management,

Respondents.

No. H-03247 FR OAH No. 2019080804

# STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

As to Synergy Property Management only

It is hereby stipulated by and between Respondent SYNERGY PROPERTY MANAGEMENT (sometimes referred to as "Respondent"), acting by and through its attorney, Frank M. Buda, Esq., and the Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on May 13, 2019, 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 IN SETTLEMENT AND ORDER

- 2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate ("Department") in this proceeding.
- 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that it understands that by withdrawing said Notice of Defense Respondent thereby waives its right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to it in connection with the hearing such as the right to present evidence in his defense, and the right to cross-examine witnesses.
- 4. This Stipulation is based on the factual allegations contained in Paragraphs 5 through 29 of the Accusation in Case No. H-03247 FR pertaining to Audit No. FR170029 against Respondent. In the interest of expedience and economy, Respondent chooses not to contest these allegations but to remain silent and understands that, as a result thereof, these factual allegations, without being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to prove said factual allegations.
- 5. It is understood by the parties that the Real Estate Commissioner may adopt this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order." In the event that the Commissioner in her discretion does not adopt the Stipulation, the Stipulation shall be void and of no effect and Respondent shall retain the right to a hearing and proceed on the Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

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

### **DETERMINATION OF ISSUES**

By reason of the foregoing stipulations and solely for the purpose of settlement of the allegations in Paragraphs 5 through 29 of the pending Accusation pertaining to Audit No. FR170029, without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct, acts or omissions of Respondent SYNERGY PROPERTY MANAGEMENT, as set forth in Paragraphs 5 through 29 of the Accusation pertaining to Audit No. FR170029, are in violation of Business and Professions Code ("Code") sections 10130, 10131, and 10145, and Sections 2831.2, 2832, 2832.1, and 2834 of Title 10, Chapter 6, of the California Code of Regulations and are a basis for discipline of Respondent SYNERGY PROPERTY MANAGEMENT's licenses and license rights pursuant to Code sections 10177(d) and/or 10177(g).

#### ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

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All licenses and license rights of Respondent SYNERGY PROPERTY

MANAGEMENT under the Real Estate Law are suspended for a period of sixty (60) days from
the effective date of this Decision and Order; provided, however, that sixty (60) days of said
suspension shall be stayed for two (2) years upon the following terms and conditions:

- 1. Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and
- 2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years from the effective STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

date of this Decision and Order. Should such a determination be made, the Commissioner may, in her 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.

II.

Pursuant to Code section 10148, Respondent shall pay the Commissioner's reasonable costs for the audit in Audit No. FR170029 which led to this disciplinary action in the total amount of \$4,461.50. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefore from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. Respondent is jointly and severally liable for the costs of the audit with Respondent Harjinder Pal Singh, designated officer of Respondent. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

Pursuant to Code Section 10148 of the Code, Respondent shall pay the Commissioner's reasonable costs, not to exceed \$5,576.88, for a subsequent audit to determine if Respondent has corrected the violations found in the Determination of Issues. In calculating the amount of the Commissioner's reasonable costs, the Commissioner may use the estimated average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

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 All licenses and license rights of Respondent are indefinitely suspended unless or until Respondent pays the total sum of \$5,265.65 (\$8,822.50 for investigation costs + \$1,708.80 for enforcement costs = \$10,531.30/2 = \$5,265.65) for the Commissioner's reasonable costs of the investigation in Investigation No. 6-16-1102-001 and enforcement in Case No. H-03247 FR, which led to this disciplinary action. Respondent is jointly and severally liable for the costs of the investigation and enforcement in the total sum of \$5,265.65 with Respondent Harjinder Pal Singh, designated officer of Respondent. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. The payment of the investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

DATED: 2-4-2020

Judith B. Vasan, Counsel for Department of Real Estate

\* \* \*

### **EXECUTION OF THE STIPULATION**

I have read the Stipulation, have discussed it with my counsel, and 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 Paragraphs 5 through 29 of the pending Accusation pertaining to Audit No. FR170029 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.

Respondent shall <u>mail the original</u> signed signature page of the stipulation herein to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105.

1 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 Agreement 3 by emailing a scanned copy of the signature page, as actually signed by Respondent, to the Department counsel assigned to this case. Respondent agrees, acknowledges and understands 5 that by electronically sending the Department a scan of Respondent's actual signature as it 6 appears on the Stipulation and Agreement that receipt of the scan by the Department shall be 7 binding on Respondent as if the Department had received the original signed Stipulation. 8 Respondent shall also mail the original signed signature page of this Stipulation to the 9 Department counsel. 10 Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by 11 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and 12 13 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. 14 15 16 SYNERGY PROPERTY MANAGEMENT 17 18 19 20 Frank M. Buda, Esq. 21 Counsel for Respondent 22 Approved as to Form 23 24 25

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent SYNERGY PROPERTY MANAGEMENT and shall become effective at 12 o'clock noon on \_\_APR 2 7 2020

SANDRA KNAU ACTING REAL ESTATE COMMISSIONER

ACTING REAL ESTATE COMMISSION

FILED

APR 2 4 2020

DEPT. OF REAL ESTATE

## BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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No. H-03247 FR OAH No. 2019080804

### Respondents.

In the Matter of the Accusation against:

Management,

SYNERGY PROPERTY MANAGEMENT and <u>HARJINDER PAL SINGH</u>, individually

and as designated officer of Synergy Property

### ORDER EXTENDING TIME

On March 6, 2020, a Stipulation and Agreement in Settlement and Order was rendered in the above-entitled matter, ordering the revocation of Respondent HARJINDER PAL SINGH's real estate license, provided however, a restricted broker license shall be issued upon application and payment of the fee and certain terms and conditions. Said Order will become effective April 27, 2020.

Said Order provided that Respondent HARJINDER PAL SINGH, individually doing business as Nationwide Realty, is to pay a total sum of \$6,066.65 for the Commissioner's investigation and enforcement costs prior to the effective date of the Order.

Good cause having been shown, the time during which Respondent must satisfy the above condition is extended to October 27, 2020.

This Order shall	be be	effective	immediately.
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IT IS SO ORDERED \_\_

SANDRA KNAU ACTING REAL ESTATE COMMISSIONER

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation against: No. H-03247 FR OAH No. 2019080804 SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management, Respondents.

### ORDER EXTENDING TIME

On March 6, 2020, a Stipulation and Agreement in Settlement and Order was rendered in the above-entitled matter, ordering the suspension of Respondent HARJINDER PAL SINGH's real estate license, stayed upon terms and conditions. Said Order will become effective April 27, 2020.

Said Order provided that Respondent HARJINDER PAL SINGH, as designated officer of Synergy Property Management, is to pay, jointly and severally with Respondent Synergy Property Management, a total sum of \$5,265.65 for the Commissioner's investigation and enforcement costs prior to the effective date of the Order.

Good cause having been shown, the time during which Respondent must satisfy the above condition is extended to October 27, 2020.

This Order shall be effective immediately.

IT IS SO ORDERED \_

SANDRA KNAU ACTING REAL ESTATE COMMISSIONER

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DEPT OF REAL ESTATE

# BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

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In the Matter of the Accusation against:

SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management.

Respondents.

No. H-03247 FR OAH No. 2019080804

### ORDER EXTENDING TIME

On March 6, 2020, a Stipulation and Agreement in Settlement and Order was rendered in the above-entitled matter, ordering the suspension of Respondent HARJINDER PAL SINGH's real estate license, stayed upon terms and conditions. Said Order will become effective April 27, 2020.

Said Order provided that Respondent HARJINDER PAL SINGH, as designated officer of Synergy Property Management, is to pay, jointly and severally with Respondent Synergy Property Management, a total sum of \$5,265.65 for the Commissioner's investigation and enforcement costs prior to the effective date of the Order.

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Good cause having been shown, the time during which Respondent must satisfy the above condition is extended to October 27, 2020.

This Order shall be effective immediately.

IT IS SO ORDERED

SANDRA KNAU ACTING REAL ESTATE COMMISSIONER

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

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation against

SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management,

Respondents.

No. H-03247 FR OAH No. 2019080804

# STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

As to Harjinder Pal Singh, individually doing business as Nationwide Realty

It is hereby stipulated by and between Respondent HARJINDER PAL SINGH, individually doing business as Nationwide Realty (sometimes referred to as "Respondent"), acting by and through his attorney Ameer Shah, Esq., and the Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on May 13, 2019, 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 IN SETTLEMENT AND ORDER

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

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 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of Defense Respondent thereby waives his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to him in connection with the hearing such as the right to present evidence in his defense, and the right to cross-examine witnesses.

- 4. This Stipulation is based on the factual allegations contained in Paragraphs 30 through 35 of the Accusation in Case No. H-03247 FR pertaining to Audit No. FR170032 against Respondent. In the interest of expedience and economy, Respondent chooses not to contest these allegations but to remain silent and understands that, as a result thereof, these factual allegations, without being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to prove said factual allegations.
- 5. It is understood by the parties that the Real Estate Commissioner may adopt this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order." In the event that the Commissioner in her discretion does not adopt the Stipulation, the Stipulation shall be void and of no effect and Respondent shall retain the right to a hearing and proceed on the Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

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

### **DETERMINATION OF ISSUES**

By reason of the foregoing stipulations and solely for the purpose of settlement of the allegations in Paragraphs 30 through 35 of the pending Accusation pertaining to Audit No. FR170032, without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct, acts or omissions of Respondent HARJINDER PAL SINGH, individually doing business as Nationwide Realty, as set forth in Paragraphs 30 through 35 of the Accusation pertaining to Audit No. FR170032, is in violation of Business and Professions Code ("Code") section 10145 and Sections 2831, 2831.1, 2831.2, and 2832.1 of Title 10, Chapter 6, of the California Code of Regulations and are a basis for discipline of Respondent HARJINDER PAL SINGH's licenses and license rights pursuant to Code sections 10177(d) and/or 10177(g).

### <u>ORDER</u>

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and license rights of Respondent HARJINDER PAL SINGH, under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to Code section 10156.5 if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Code section 10156.7 and to the following limitations, conditions and restrictions imposed under authority of Code section 10156.6:

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

- 2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.
- 3. Respondent 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 two (2) years have elapsed from the effective date of this Decision and Order. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.

II.

Pursuant to Code section 10148, Respondent shall pay the Commissioner's reasonable costs for the audit in Audit No. FR170032 which led to this disciplinary action in the total amount of \$7,311.50. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefore from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

Pursuant to Code Section 10148 of the Code, Respondent shall pay the Commissioner's reasonable costs, not to exceed \$9,139.38, for a subsequent audit to determine if Respondent has corrected the violations found in the Determination of Issues. In calculating the amount of the Commissioner's reasonable costs, the Commissioner may use the estimated

average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition

III.

All licenses and license rights of Respondent are indefinitely suspended unless or until Respondent pays his proportionate share totaling \$6,066.65 for the Commissioner's reasonable costs of the investigation in Investigation No. 6-16-1102-001 and enforcement in Case No. H-03247 FR, 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 payment of the investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

IV.

All licenses and licensing rights of Respondent are indefinitely suspended unless or until Respondent provides proof satisfactory to the Commissioner, of having taken and successfully completed the continuing education course on **trust fund accounting and**handling as specified in subdivision (a) of Section 10170.5 of the Business and Professions Code. Proof of satisfaction of this requirement includes evidence that Respondent has successfully completed the trust fund account and handling continuing education course, no earlier than 120 days prior to the effective date of the Decision and Order in this matter. Proof of completion of the trust fund accounting and handling course must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013 prior to the effective date of this Decision and Order.

DATED: 2-11-2020

Judith B. Vasan, Counsel for Department of Real Estate

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### **EXECUTION OF THE STIPULATION**

I have read the Stipulation, have discussed it with my counsel, and 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 Paragraphs 5 through 10 of the pending Accusation pertaining to Audit No. FR170029 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.

Respondent shall <u>mail the original</u> signed signature page of the stipulation herein to Judith B. Vasan, 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 Agreement by emailing a scanned 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 scan of Respondent's actual signature as it appears on the Stipulation and Agreement that receipt of the scan by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation. Respondent shall also mail the original signed signature page of this Stipulation to the Department counsel.

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1	Respondent's signature below constitutes acceptance and approval of the terms		
2	and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by		
3	signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and		
4	that this agreement is not subject to rescission or amendment at a later date except by a separate		
5	Decision and Order of the Real Estate Commissioner.		
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7	DATED:		
8	HARJINDER PAL SINGH, doing business as Nationwide Realty		
9	Respondent		
10	DATED: 02/4/2020 Ameer Shall		
11	Ameer Shah, Esq. Counsel for Respondent		
12	Approved as to Form		
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14	***		
15	The foregoing Stipulation and Agreement is hereby adopted as my Decision as to		
16	Respondent HARJINDER PAL SINGH, doing business as Nationwide Realty, and shall become		
17	effective at 12 o'clock noon on		
18	IT IS SO ORDERED		
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20	SANDRA KNAU ACTING REAL ESTATE COMMISSIONER		
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	STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER		

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1	Respondent's signature below constitutes acceptance and approval of the terms			
2	and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by			
3	signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and			
4	that this agreement is not subject to rescission or amendment at a later date except by a separate			
5	Decision and Order of the Real Estate Commissioner.			
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7	DATED: 2/11/20 HARJINDER PAL SINGH, doing business as			
9	Nationwide Realty Respondent			
10	DATED:			
11	Ameer Shah, Esq.			
12	Counsel for Respondent Approved as to Form			
13	Approved to to total			
14	***			
15	The foregoing Stipulation and Agreement is hereby adopted as my Decision as to			
.6	Respondent HARJINDER PAL SINGH, doing business as Nationwide Realty, and shall become			
17	effective at 12 o'clock noon on APR 2 7 2020			
18	IT IS SO ORDERED 3 6 70.			
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20	SANDRA KNAU ACTING REAL ESTATE COMMISSIONER			
21	ACTING REAL ESTATE COMMISSIONER			
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Department of Real Estate 320 W. 4th Street, Suite 350 Los Angeles, CA 90013-1105 Telephone: (213) 576-6982

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## BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation against

SYNERGY PROPERTY MANAGEMENT and HARJINDER PAL SINGH, individually and as designated officer of Synergy Property Management,

Respondents.

No. H-03247 FR OAH No. 2019080804

### STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

As to Harjinder Pal Singh, as designated officer of Synergy Property Management only

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It is hereby stipulated by and between Respondent HARJINDER PAL SINGH, as designated officer of Synergy Property Management (sometimes referred to as "Respondent"), and the Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on May 13, 2019, in this matter:

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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

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STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

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Stipulation and Agreement ("Stipulation").

- 2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate ("Department") in this proceeding.
- 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of Defense Respondent thereby waives his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to him in connection with the hearing such as the right to present evidence in his defense, and the right to cross-examine witnesses.
- 4. This Stipulation is based on the factual allegations contained in Paragraphs 5 through 11 of the Accusation in Case No. H-03247 FR pertaining to Audit No. FR170029 against Respondent. In the interest of expedience and economy, Respondent chooses not to contest these allegations but to remain silent and understands that, as a result thereof, these factual allegations, without being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to prove said factual allegations.
- 5. It is understood by the parties that the Real Estate Commissioner may adopt this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on Respondent's real estate license and license rights as set forth in the below "Order." In the event that the Commissioner in her discretion does not adopt the Stipulation, the Stipulation shall be void and of no effect and Respondent shall retain the right to a hearing and proceed on the Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

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

### **DETERMINATION OF ISSUES**

By reason of the foregoing stipulations and solely for the purpose of settlement of the allegations in Paragraphs 5 through 10 of the pending Accusation pertaining to Audit No. FR170029, without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct, acts or omissions of Respondent HARJINDER PAL SINGH, as designated officer of Synergy Property Management, as set forth in Paragraphs 5 through 10 of the Accusation pertaining to Audit No. FR170029, is in violation of Business and Professions Code ("Code") section 10159.2 and is a basis for discipline of Respondent HARJINDER PAL SINGH's licenses and license rights pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

### **ORDER**

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and license rights of Respondent HARJINDER PAL SINGH, as designated officer of Synergy Property Management, under the Real Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision and Order; provided, however, that sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

- Respondent shall obey all laws, rules and regulations governing the rights, duties and responsibilities of a real estate licensee in the State of California; and
- 2. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within two (2) years from the effective STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

date of this Decision and Order. Should such a determination be made, the Commissioner may,
in her 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.

Π.

Pursuant to Code section 10148, Respondent shall pay the Commissioner's reasonable costs for the audit in Audit No. FR170029 which led to this disciplinary action in the total amount of \$4,461.50. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefore from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. Respondent is jointly and severally liable for the costs of the audit with Respondent Synergy Property Management. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

Ш.

All licenses and license rights of Respondent are indefinitely suspended unless or until Respondent pays the total sum of \$5,265.65 (\$8,822.50 investigation costs + \$1,708.80 enforcement costs = \$10,531.30/2 = \$5,265.65 total sum) for the Commissioner's reasonable costs of the investigation in Investigation No. 6-16-1102-001 and enforcement in Case No. H-03247 FR, which led to this disciplinary action. Respondent is jointly and severally liable for the costs of the investigation and enforcement in the total sum of \$5,265.65 with Respondent Synergy Property Management. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. The payment of the investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

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DATED: 2-4-2020

Judith B. Wasan, Counsel for Department of Real Estate

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### **EXECUTION OF THE STIPULATION**

I have read the Stipulation, have discussed it with my counsel, and 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 Paragraphs 5 through 10 of the pending Accusation pertaining to Audit No. FR170029 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.

Respondent shall <u>mail the original</u> signed signature page of the stipulation herein to Judith B. Vasan, 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 Agreement by emailing a scanned 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 scan of Respondent's actual signature as it appears on the Stipulation and Agreement that receipt of the scan by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation. Respondent shall also mail the original signed signature page of this Stipulation to the Department counsel.

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