

1 Department of Real Estate  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0781

FILED

MAY 03 2012

DEPARTMENT OF REAL ESTATE

By S. Jones

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

12 MORTGAGE LOAN SPECIALIST OF SAN )  
13 DIEGO INC., JACQUELINE JANE )  
14 CHANCELLOR-MADDISON, and JULIE )  
ELIZABETH OTTO. )

15 Respondents. )

No. H-4272 SD

STIPULATION AND  
AGREEMENT

16  
17 It is hereby stipulated by and between JACQUELINE JANE CHANCELLOR-  
18 MADDISON (Respondent), and the Complainant, acting by and through Truly Sughrue, Counsel  
19 for the Department of Real Estate (Department), as follows for the purpose of settling and  
20 disposing the Accusation filed on January 9, 2012 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 hearing  
23 was to be held in accordance with the provisions of the Administrative Procedure Act (APA),  
24 shall instead and in place thereof be submitted solely on the basis of the provisions of this  
25 Stipulation and Agreement.  
26  
27

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

4                   3.     Respondent filed a Notice of Defense pursuant to Section 11505 of the  
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
6 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent  
7 acknowledges that Respondent understands that by withdrawing said Notice of Defense  
8 Respondent will thereby waive Respondent's rights to require the Commissioner to prove the  
9 allegations in the Accusation at a contested hearing held in accordance with the provisions of the  
10 APA, and that Respondent will waive other rights afforded to Respondent in connection with the  
11 hearing such as the right to present evidence in defense of the allegations in the Accusation and  
12 the right to cross-examine witnesses.

13                  4.     This stipulation is based on the factual allegations contained in the  
14 Accusation. In the interest of expediency and economy, Respondent chooses not to contest these  
15 factual allegations, but to remain silent and understands that, as a result thereof, these factual  
16 statements will serve as a prima facie basis for the "Determination of Issues" and "Order" set  
17 forth below. The Real Estate Commissioner (Commissioner) shall not be required to provide  
18 further evidence to prove such allegations.

19                  5.     This Stipulation and Respondent's decision not to contest the Accusation  
20 are made for the purpose of reaching an agreed disposition of this proceeding and are expressly  
21 limited to this proceeding and any other proceeding or case in which the Department, the state or  
22 federal government, an agency of this state, or an agency of another state is involved.

23                  6.     It is understood by the parties that the Commissioner may adopt the  
24 Stipulation and Agreement as the Commissioner's decision in this matter thereby imposing the  
25 penalty and sanctions on the real estate licenses and license rights of Respondent as set forth in  
26 the below "Order". In the event that the Commissioner in the Commissioner's discretion does  
27 not adopt the Stipulation and Agreement, it shall be void and of no effect, and Respondent shall

1 retain the right to a hearing and proceeding on the Accusation under all the provisions of the  
2 APA and shall not be bound by any admission or waiver made herein.

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

7 \* \* \*

8 DETERMINATION OF ISSUES

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

12 I

13 The acts and omissions of Respondent as described in the Accusation are  
14 grounds for the suspension or revocation of Respondent's licenses and license rights under  
15 Section 10177(h) of the Code.

16 \* \* \*

17 ORDER

18 I

19 All licenses and licensing rights of Respondent under the Real Estate Law are suspended  
20 for a period of fifty (50) days from the effective date of this Order; provided, however, that:

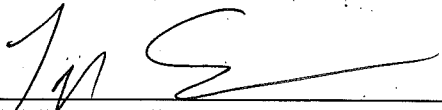
21 1) Fifty (50) days of said suspension shall be stayed for one (1) year upon the following terms  
22 and conditions:

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

25 b) That no final subsequent determination be made, after hearing or upon stipulation, that  
26 cause for disciplinary action occurred within one (1) year from the effective date of this  
27 Order. Should such a determination be made, the Commissioner may, in his discretion,

1 vacate and set aside the stay order and reimpose all or a portion of the stayed suspension.  
2 Should no such determination be made, the stay imposed herein shall become permanent.

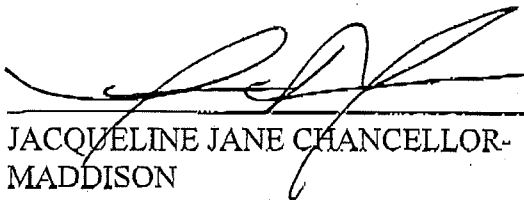
3  
4 27-Feb-12  
DATED

  
TRULY SUGHRUE  
Counsel for Complainant

6 \* \* \*

7 I have read the Stipulation and Agreement, and its terms are understood by me  
8 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the  
9 California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive  
10 those rights, including the right of requiring the Commissioner to prove the allegations in the  
11 Accusation at a hearing at which I would have the right to cross-examine witnesses against me  
12 and to present evidence in defense and mitigation of the charges.

13  
14 2/25/12  
DATED

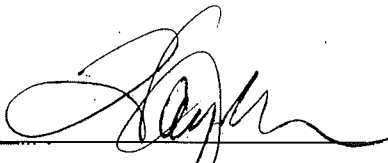
  
JACQUELINE JANE CHANCELLOR-  
MADDISON  
Respondent

17 \* \* \*

18 The foregoing Stipulation and Agreement is hereby adopted as my Decision and  
19 shall become effective at 12 o'clock noon on MAY 23 2012

20  
21 IT IS SO ORDERED April 26, 2012.

22  
23 Real Estate Commissioner

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25  
26 By WAYNE S. BELL  
Chief Counsel