

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

FILED

FEB 24 2017

BUREAU OF REAL ESTATE

By *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the First Amended Accusation of ) CalBRE No. H-04745 SD  
12 ) OAH No. 2015110117  
13 ALLISON JAMES OF CALIFORNIA, INC.; )  
14 KENNETH L. MOON, individually and as ) STIPULATION AND  
15 designated officer of Allison James of ) AGREEMENT IN  
16 California, Inc.; and ) SETTLEMENT AND ORDER  
17 PAULA M. NARANJO, )  
18 Respondents. )

17 It is hereby stipulated by and between Respondent ALLISON JAMES OF  
18 CALIFORNIA, INC. ("Respondent"), Respondent's attorney Mary E. Work, and Complainant,  
19 acting by and through Lissete Garcia, Counsel for the Bureau of Real Estate ("Bureau"), as  
20 follows for the purpose of settling and disposing the First Amended Accusation filed on October  
21 13, 2016, with Bureau Case No. H-04745 SD in this matter:

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

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

4         2. Respondent has received, read, and understands the Statement to Respondent, the  
5 Discovery Provisions of the APA, and First Amended Accusation filed by the Bureau in this  
6 proceeding.

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

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

22         5. This Stipulation and Respondent's decision not to contest the First Amended  
23 Accusation are made for the purpose of reaching an agreed disposition of this proceeding and are  
24

1 expressly limited to this proceeding and any other proceeding or case in which the Bureau of  
2 Real Estate, or another licensing agency of this state, another state or if the federal government is  
3 involved and otherwise shall not be admissible in any other criminal or civil proceedings.

4 6. It is understood by the parties that the Real Estate Commissioner may adopt the  
5 Stipulation as his decision in this matter thereby imposing the penalty and sanctions on  
6 Respondent's real estate licenses and license rights as set forth in the below "Order." In the  
7 event that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall  
8 be void and of no effect, and Respondent shall retain the right to a hearing on the First Amended  
9 Accusation under all the provisions of the APA and shall not be bound by any stipulation or  
10 waiver made herein.

11 7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to  
12 this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or  
13 civil proceedings by the Bureau of Real Estate with respect to any conduct which was not  
14 specifically alleged to be causes for accusation in this proceeding.

15 8. Respondent further understands that by agreeing to this Stipulation, Respondent  
16 agrees to pay, pursuant to Section 10106(a) of the Code, its apportioned share totaling \$2,076.59  
17 of the Bureau's investigative and enforcement costs which led to this disciplinary action.

#### 18 DETERMINATION OF ISSUES

##### 19 I.

20 The conduct, acts and/or omissions of Respondent ALLISON JAMES OF  
21 CALIFORNIA, INC. ("Respondent AJCI") as set forth in Paragraphs 10 through 20 of the  
22 First Amended Accusation, constitute cause for the suspension or revocation of all real estate  
23 licenses and license rights of Respondent AJCI pursuant to Business and Professions Code  
24

1 (“Code”) Section 10165 for violation of Business and Professions Code (“Code”) Section  
2 10163 and Regulation 2715 of the Regulations of the Real Estate Commissioner, Title 10,  
3 Chapter 6, California Code of Regulations (“Regulations”).

4 ORDER

5 I.

6 All licenses and license rights of Respondent AJCI are hereby publicly revoked.

7 II.

8 All licenses and licensing rights of Respondent AJCI are indefinitely suspended unless or  
9 until Respondent AJCI pays the sum of \$2,076.59 for AJCI’s apportioned share of the  
10 Commissioner’s reasonable costs of the investigation and enforcement which led to this  
11 disciplinary action. Said payment shall be in the form of a cashier’s check made payable to the  
12 Bureau of Real Estate. **The investigative and enforcement costs must be delivered to the**  
13 **Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior**  
14 **to the effective date of this Decision and Order.**

15  
16 Dec. 8, 2016

DATED



Lissete Garcia, Counsel  
Bureau of Real Estate

17  
18 \* \* \*


19 I have read this Stipulation and its terms are understood by me and are agreeable and  
20 acceptable to me. I understand that I am waiving rights given to me by the California APA  
21 (including, but not limited to, Sections 11506, 11508, 11509, and 11513 of the Government  
22 Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of  
23 requiring the Commissioner to prove the allegations in the First Amended Accusation at a  
24 hearing at which I would have the right to cross-examine witnesses against us and to present

1 evidence in defense and mitigation of the charges.

2 Respondent can signify acceptance and approval of the terms and conditions of this  
3 Stipulation and Agreement by electronically emailing a copy of the signature page, as actually  
4 signed by Respondent, to the Bureau's counsel. Respondent agrees, acknowledges, and  
5 understands that by electronically sending to the Bureau an electronic copy of Respondent's  
6 actual signature, as they appear on the Stipulation, that receipt of the emailed copy by the Bureau  
7 shall be as binding on Respondent as if the Bureau had received the original signed Stipulation.  
8 By signing this Stipulation, Respondent understands and agrees that Respondent may not  
9 withdraw its agreement or seek to rescind the Stipulation prior to the time the Commissioner  
10 considers and acts upon it or prior to the effective date of the Stipulation and Order.


11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

DATED: 12-19-16

  
Authorized signatory on behalf of Respondent ALLISON  
JAMES OF CALIFORNIA, INC.  
Printed Name: Matthew Cranbaugh

*I have reviewed the Stipulation and Agreement in Settlement and Order as to form and  
content and have advised my client accordingly.*

DATED: 12/23/16

  
MARY E. WORK, ESQ.  
Attorney for Respondent ALLISON JAMES OF  
CALIFORNIA, INC.

///  
///  
///  
///  
///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

\*\*\*

The foregoing Stipulation and Agreement in Settlement and Order is hereby  
adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on  
MAR 16 2017

IT IS SO ORDERED 2/17/2017 <sup>WSB</sup> ~~2/16/2017~~, 2016.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

