

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013

4 (213) 576-6913

FILED
APR 18 2007

DEPARTMENT OF REAL ESTATE

[Handwritten Signature]
By _____

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 MACEO BUNN, JR.,)
13 Respondent.)

No. H-32739 LA
L-2006 090 722

STIPULATION AND AGREEMENT

14
15 It is hereby stipulated by and between MACEO BUNN, JR.
16 (sometimes referred to as Respondent), and his attorney, Frank M.
17 Buda, and the Complainant, acting by and through James R. Peel,
18 Counsel for the Department of Real Estate, as follows for the
19 purpose of settling and disposing of the Accusation filed on
20 April 26, 2006, in this matter.

21 1. All issues which were to be contested and all
22 evidence which was to be presented by Complainant and Respondent
23 at a formal hearing on the Accusation, which hearing was to be
24 held in accordance with the provisions of the Administrative
25 Procedure Act (APA), shall instead and in place thereof be
26 submitted solely on the basis of the provisions of this
27 Stipulation and Agreement.

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

5 3. On June 14, 2006, Respondent filed a Notice of
6 Defense pursuant to Section 11506 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 said Notice of Defense. Respondent acknowledges that he
10 understands that by withdrawing said Notice of Defense he will
11 thereby waive his right to require the Commissioner to prove the
12 allegations in the Accusation at a contested hearing held in
13 accordance with the provisions of the APA and that he will waive
14 other rights afforded to him in connection with the hearing such
15 as the right to present evidence in defense of the allegations
16 in the Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, hereby admits that the factual allegations in Paragraphs
19 II, III, IV and V of the Accusation filed in this proceeding are
20 true and correct and the Real Estate Commissioner shall not be
21 required to provide further evidence of such allegations.

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

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

13 DETERMINATION OF ISSUES

14 By reason of the foregoing stipulations, admissions
15 and waivers and solely for the purpose of settlement of the
16 pending Accusation without a hearing, it is stipulated and
17 agreed that the following determination of issues shall be made:

18 The conduct of Respondent, as described in Paragraph
19 4, above, is grounds for the suspension or revocation of all of
20 the real estate licenses and license rights of Respondent under
21 the provisions of Sections 10177(b) and 490 of the Business and
22 Professions Code.

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ORDER

All licenses and licensing rights of Respondent MACEO BUNN, JR. under the Real Estate Law are revoked, provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code 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 Section 10156.7 of the Business and Professions Code and to the following limitations, conditions, and restrictions imposed under authority of Section 10156.6 of that Code:

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

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1 3. Respondent shall not be eligible to apply for the
2 issuance of an unrestricted real estate license nor for the
3 removal of any of the conditions, limitations or restrictions of
4 a restricted license until two years have elapsed from the
5 effective date of this Decision.

6 4. Respondent shall submit with any application for
7 license under an employing broker, or any application for
8 transfer to a new employing real estate broker on a form RE 552
9 approved by the Department of Real Estate which shall certify:

10 (a) That the employing broker has read the
11 Decision which is the basis for the issuance of the restricted
12 license; and

13 (b) That the employing broker will carefully
14 review all transaction documents prepared by the restricted
15 licensee and otherwise exercise close supervision over the
16 licensee's performance of acts for which a license is required.

17 5. Respondent shall, within nine months from the
18 effective date of this Decision, present evidence satisfactory
19 to the Real Estate Commissioner that Respondent has, since the
20 most recent issuance of an original or renewal real estate
21 license, taken and successfully completed the continuing
22 education requirements of Article 2.5 of Chapter 3 of the Real
23 Estate Law for renewal of a real estate license. If Respondent
24 fails to satisfy this condition, the Commissioner may order the

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1 suspension of the restricted license until the Respondent
2 presents such evidence. The Commissioner shall afford
3 Respondent the opportunity for a hearing pursuant to the
4 Administrative Procedure Act to present such evidence.

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6 DATED: Jan. 24, 2007

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9 James R. Peel
10 JAMES R. PEEL
11 Counsel for Complainant

12 * * *


13 I have read the Stipulation and Agreement, have
14 discussed it with my attorney, and its terms are understood by
15 me and are agreeable and acceptable to me. I understand that I
16 am waiving rights given to me by the California Administrative
17 Procedure Act (including but not limited to Sections 11506,
18 11508, 11509 and 11513 of the Government Code), and I willingly,
19 intelligently and voluntarily waive those rights, including the
20 right of requiring the Commissioner to prove the allegations in
21 the Accusation at a hearing at which I would have the right to
22 cross-examine witnesses against me and to present evidence in
23 defense and mitigation of the charges.

24 Respondent can signify acceptance and approval of the
25 terms and conditions of this Stipulation and Agreement by faxing
26 a copy of the signature page, as actually signed by Respondent,
27 to the Department at the following telephone/fax number:
(213) 576-6917. Respondent agrees, acknowledges and understands


1 that by electronically sending to the Department a fax copy of
2 his actual signature as it appears on the Stipulation and
3 Agreement that receipt of the faxed copy by the Department shall
3 be as binding on Respondent as if the Department had received
4 the original signed Stipulation and Agreement.

5 Further, if the Respondent is represented in these
6 proceedings, the Respondent's attorney can signify his agreement
7 to the terms and conditions of the Stipulation and Agreement by
8 submitting that signature via fax.

10 DATED: 1-18-07


MACEO BUNN, JR.
Respondent

14 DATED: 1-12-07


FRANK M. BUDA
Counsel for Respondent

18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on _____, 2007.

22 IT IS SO ORDERED _____, 2007.

23 JEFF DAVI
Real Estate Commissioner

1 that by electronically sending to the Department a fax copy of
2 his actual signature as it appears on the Stipulation and
3 Agreement that receipt of the faxed copy by the Department shall
4 be as binding on Respondent as if the Department had received
5 the original signed Stipulation and Agreement.

6 Further, if the Respondent is represented in these
7 proceedings, the Respondent's attorney can signify his agreement
8 to the terms and conditions of the Stipulation and Agreement by
9 submitting that signature via fax.

10
11 DATED: _____

_____ MACEO BUNN, JR.
Respondent

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13
14 DATED: _____

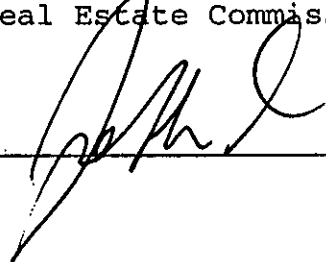
_____ FRANK M. BUDA
Counsel for Respondent

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18 * * *

19 The foregoing Stipulation and Agreement is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on May 8, 2007.

22 IT IS SO ORDERED 2-13, 2007.

23 JEFF DAVI
24 Real Estate Commissioner

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1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED
APR 26 2006
DEPARTMENT OF REAL ESTATE

By *[Signature]*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-32739 LA
12 MACEO BUNN, JR.,)	<u>ACCUSATION</u>
13 Respondent.)	
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15 The Complainant, Janice A. Waddell, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 accusation against MACEO BUNN, JR., alleges as follows:

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19 The Complainant, Janice A. Waddell, a Deputy Real
20 Estate Commissioner of the State of California, makes this
21 Accusation in her official capacity.

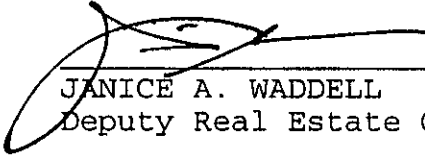
22 II

23 MACEO BUNN, JR. (hereinafter referred to as
24 "Respondent") is presently licensed and/or has license rights
25 under the Real Estate Law (Part 1 of Division 4 of the Business
26 and Professions Code, hereinafter referred to as the "Code").
27

1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondent
5 MACEO BUNN, JR., under the Real Estate Law (Part 1 of Division 4
6 of the Business and Professions Code) and for such other and
7 further relief as may be proper under other applicable provisions
8 of law.

9 Dated at Los Angeles, California,

10 this 6 day of February, 2006.

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13 
14 JANICE A. WADDELL
15 Deputy Real Estate Commissioner
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23

24 cc: Maceo Bunn, Jr.
25 Ronald B. Karno
26 Janice A. Waddell
27 Sacto.