

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 (213) 576-6982

FILED
MAY 20 2008
DEPARTMENT OF REAL ESTATE

K. M. Roberts

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9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12
13 In the Matter of the Accusation of) NO. H-34481 LA
14 MARY HARO,)
15)
16 Respondent.) STIPULATION AND AGREEMENT

17
18 It is hereby stipulated by and between MARY
19 HARO, (sometimes referred to as "Respondent"), and the
20 Complainant, acting by and through Shari Sveningson, Counsel
21 for the Department of Real Estate, as follows for the purpose
22 of settling and disposing of the Accusation filed on November
23 9, 2007, in this matter.

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1 1. All issues which were to be contested and all
2 evidence which was to be presented by Complainant and Respondent
3 at a formal hearing on the Accusation, which hearing was to be
4 held in accordance with the provisions of the Administrative
5 Procedure Act (APA), shall instead and in place thereof be
6 submitted solely on the basis of the provisions of this
7 Stipulation and Agreement.
8

9 2. Respondent has received, read and understands the
10 Statement to Respondent, the Discovery Provisions of the APA and
11 the Accusation filed by the Department of Real Estate
12 ("Department") in this proceeding.
13

14 3. Respondent did not file a Notice of Defense,
15 pursuant to Section 11506 of the Government Code for the purpose
16 of requesting a hearing on the allegations in the Accusation.
17 Respondent acknowledges that she understands she will thereby
18 waive her right to require the Commissioner to prove the
19 allegations in the Accusation at a contested hearing held in
20 accordance with the provisions of the APA and that she will waive
21 other rights afforded to her in connection with the hearing, such
22 as the right to present evidence in defense of the allegations in
23 the Accusation and the right to cross-examine witnesses.
24

25
26 4. Respondent, pursuant to the limitations set forth
27 below, hereby admits that the factual allegations set forth in

1 the Accusation filed in this proceeding are true and correct and
2 the Real Estate Commissioner shall not be required to provide
3 further evidence of such allegations.

4
5 5. It is understood by the parties that the Real
6 Estate Commissioner may adopt the Stipulation and Agreement as
7 his decision in this matter, thereby imposing the penalty and
8 sanctions on Respondent's real estate licenses and license rights
9 as set forth in the below "Order". In the event that the
10 Commissioner in his discretion does not adopt the Stipulation and
11 Agreement, it shall be void and of no effect, and Respondent
12 shall retain the right to a hearing and proceeding on the
13 Accusation under all the provisions of the APA and shall not be
14 bound by any admission or waiver made herein.
15

16 6. The Order or any subsequent Order of the Real
17 Estate Commissioner made pursuant to this Stipulation and
18 Agreement shall not constitute an estoppel, merger or bar to any
19 further administrative or civil proceedings by the Department of
20 Real Estate with respect to any matters which were not
21 specifically alleged to be causes for accusation in this
22 proceeding.
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1 1. The restricted license issued to Respondent may
2 be suspended prior to hearing by Order of the Real Estate
3 Commissioner in the event of Respondent's conviction or plea of
4 nolo contendere to a crime which is substantially related to
5 Respondent's fitness or capacity as a real estate licensee.
6

7 2. The restricted license issued to Respondent may
8 be suspended prior to hearing by Order of the Real Estate
9 Commissioner on evidence satisfactory to the Commissioner that
10 Respondent has violated provisions of the California Real
11 Estate Law, the Subdivided Lands Law, Regulations of the Real
12 Estate Commissioner or conditions attaching to the restricted
13 license.
14

15 3. Respondent shall not be eligible to apply for
16 issuance of an unrestricted real estate license nor for the
17 removal of any of the conditions, limitations or restrictions
18 of a restricted license until two (2) years have elapsed from
19 the effective date of this Decision.
20


21 4. Respondent shall submit with any application
22 for license under an employing broker, or any application for
23 transfer to a new employing broker, a statement signed by the
24 prospective employing real estate broker, on a form approved by
25 the Department, which shall certify:

26 (a) That the employing broker has read the Decision
27 of the Commissioner which granted the right to a restricted
license; and

1 (b) That the employing broker will exercise close
2 supervision over the performance by the restricted licensee
3 relating to activities for which a real estate salesperson
4 license is required.

5 5. Respondent shall, within nine (9) months from the
6 effective date of this Decision, present evidence satisfactory
7 to the Real Estate Commissioner that Respondent has, since the
8 most recent issuance of an original or renewal real estate
9 license, taken and successfully completed the continuing
10 education requirements of Article 2.5 of Chapter 3 of the Real
11 Estate Law for renewal of a real estate license. If Respondent
12 fails to satisfy this condition, the Commissioner may order the
13 suspension of the restricted license until the Respondent
14 presents such evidence. The Commissioner shall afford
15 Respondent the opportunity for a hearing pursuant to the
16 Administrative Procedure Act to present such evidence.

19 DATED: 5/5/08



20 Shari Sveningson,
21 Real Estate Counsel

22 I have read the Stipulation and Agreement, and its
23 terms are understood by me and are agreeable and acceptable to
24 me. I understand that I am waiving rights given to me by the
25 California Administrative Procedure Act (including but not
26 limited to Sections 11506, 11508, 11509 and 11513 of the
27 Government Code), and I willingly, intelligently and

1 voluntarily waive those rights, including the right of
 2 requiring the Commissioner to prove the allegations in the
 3 Accusation at a hearing at which I would have the right to
 4 cross-examine witnesses against me and to present evidence in
 5 defense and mitigation of the charges.
 6

7 Respondent can signify acceptance and approval of the
 8 terms and conditions of this Stipulation and Agreement by
 9 faxing a copy of its signature page, as actually signed by
 10 Respondent, to the Department at the following telephone/fax
 11 number (213) 576-6917. Respondent agrees, acknowledges, and
 12 understands that by electronically sending to the Department a
 13 fax copy of his actual signature as it appears on the
 14 Stipulation and Agreement, that receipt of the faxed copy by
 15 the Department shall be as binding on Respondent as if the
 16 Department had received the original signed Stipulation and
 17 Agreement.
 18

19
 20
 21 DATED: 5/7/08

Mary Haro

 MARY HARO
 Respondent

1 voluntarily waive those rights, including the right of
2 requiring the Commissioner to prove the allegations in the
3 Accusation at a hearing at which I would have the right to
4 cross-examine witnesses against me and to present evidence in
5 defense and mitigation of the charges.
6

7 Respondent can signify acceptance and approval of the
8 terms and conditions of this Stipulation and Agreement by
9 faxing a copy of its signature page, as actually signed by
10 Respondent, to the Department at the following telephone/fax
11 number (213) 576-6917. Respondent agrees, acknowledges, and
12 understands that by electronically sending to the Department a
13 fax copy of his actual signature as it appears on the
14 Stipulation and Agreement, that receipt of the faxed copy by
15 the Department shall be as binding on Respondent as if the
16 Department had received the original signed Stipulation and
17 Agreement.
18 Agreement.

19
20
21 DATED: _____

MARY HARO
Respondent

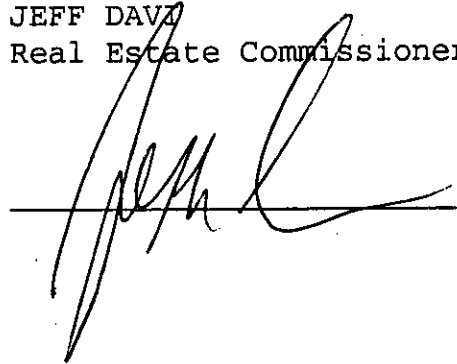
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The foregoing Stipulation and Agreement is hereby
adopted as my Decision in this matter and shall become
effective at 12 o'clock noon on JUN - 9, 2008.

IT IS SO ORDERED 5-14-08, 2008.

JEFF DAVY
Real Estate Commissioner



Amelia Glas

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SHARI SVENINGSON, Counsel (SBN 195298)
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Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6907

FILED
NOV - 9 2007
DEPARTMENT OF REAL ESTATE

K. Medeiros

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-34481 LA
)	
MARY HARO,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	
)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against MARU HARO, aka Mary Perez, Mary Hano Perez, Mary Haro Perez, ("Respondent") alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

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2.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate broker.

3.

(CRIMINAL CONVICTION)

On or about September 29, 2005, in the Superior Court of California, County of Los Angeles, in case no. BA278643, Respondent was convicted of violating Penal Code 273A (a) (Child Endangerment), a felony. This crime involves moral turpitude, which bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

4.

The crime of which Respondent was convicted, as described in Paragraph 3 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent, MARY HARO, under the Real Estate Law (Part 1 of

1 Division 4 of the Business and Professions Code) and for such
2 other and further relief as may be proper under other applicable
3 provisions of law.

4 Dated at Los Angeles, California *November 6, 2007*

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7 Maria Suarez
8 Deputy Real Estate Commissioner
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18 cc: MARY HARO
19 Maria Suarez
20 Sacto.
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