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FILED

JAN 15 2014

BUREAU OF REAL ESTATE

By *J. Amos*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-38793 LA
)	
<u>HOMESMART REALTY</u> and)	OAH NO: 2013050706
LOUIS WILLIAM PALAFOX,)	
individually and as designated broker-officer)	
of Homesmart Realty,)	
)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 2, 2013, an Accusation was filed in this matter against Respondent HOMESMART REALTY ("Respondent").

On December 20, 2013, Respondent petitioned the Commissioner to voluntarily surrender its corporate real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent's petition for voluntary surrender of its corporate real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated December 20, 2013, (attached as Exhibit "A" hereto).

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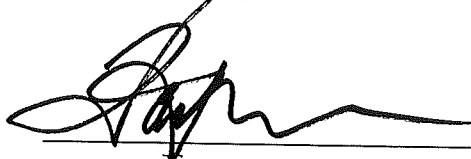
1 Respondent's license certificate and pocket card shall be sent to the below-listed
2 address so that they reach the Bureau on or before the effective date of this Order:

3 BUREAU OF REAL ESTATE
4 Attention: Licensing Flag Section
5 P. O. Box 137013
6 Sacramento, CA 95813-7013

7 This Order shall become effective at 12 o'clock noon on FEB 05 2014

8 DATED: 1/12/2014

9 REAL ESTATE COMMISSIONER

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12 WAYNE S. BELL

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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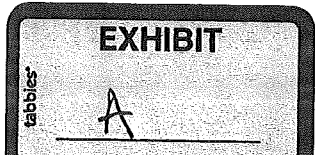
In the Matter of the Accusation of)	
)	CAL BRE No: H-38793 LA
<u>HOMESMART REALTY</u> and LOUIS WILLIAM)	OAH No: 2013050706
PALAFIX, individually, and as)	
designated officer of Homesmart)	
Realty,)	
)	
Respondents.)	

DECLARATION

My name is Louis William Palafox and I am authorized and empowered to sign this declaration on behalf of HOMESMART REALTY.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code) HOMESMART REALTY wishes to voluntarily surrender its real estate license issued by the Bureau of Real Estate ("Bureau"), pursuant to Business and Professions Code Section 10100.2.

I understand that HOMESMART REALTY, by so voluntarily surrendering its license, can only have it reinstated in



1 accordance with the provisions of Section 11522 of the Government
2 Code. I also understand that by so voluntarily surrendering its
3 license, HOMESMART REALTY agrees to the following:

4 The filing of this Declaration shall be deemed as its
5 petition for voluntary surrender. It shall also be deemed to be
6 an understanding and agreement by HOMESMART REALTY that it waives
7 all rights it has to require the Commissioner to prove the
8 allegations contained in the Accusation filed in this matter at a
9 hearing held in accordance with the provisions of the
10 Administrative Procedure Act (Government Code Sections 11400 et
11 seq.), and that it also waives other rights afforded to it in
12 connection with the hearing such as the right to discovery, the
13 right to present evidence in defense of the allegations in the
14 Accusation and the right to cross-examine witnesses. I further
15 agree on behalf of HOMESMART REALTY that upon acceptance by the
16 Commissioner, as evidenced by an appropriate order, all
17 affidavits and all relevant evidence obtained by the Bureau in
18 this matter prior to the Commissioner's acceptance, and all
19 allegations contained in the Accusation filed in the Bureau Case
20 No. H-38793 LA, may be considered by the Bureau to be true and
21 correct for the purpose of deciding whether or not to grant
22 reinstatement of HOMESMART REALTY's license pursuant to
23 Government Code Section 11522.

24 I agree to pay the Commissioner's reasonable cost for
25 the audit which led to this action. In calculating the amount of
26 the Commissioner's reasonable cost, the Commissioner may use the
27 estimated average hourly salary for all persons performing audits

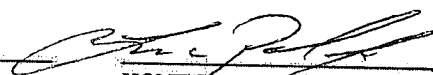
1 of real estate brokers, and shall include an allocation for
2 travel time to and from the auditor's place of work. I will pay
3 such cost within 60 days of receiving an invoice from the
4 Commissioner detailing the activities performed during the audit
5 and the amount of time spent performing those activities.

6 I am aware that if I petition for reinstatement in the
7 future, that payment of the audit costs will be a condition of
8 reinstatement.

9 I declare under penalty of perjury under the laws of
10 the State of California that the above is true and correct and
11 that I am acting freely and voluntarily on behalf of HOMESMART
12 REALTY to surrender its license and all license rights attached
13 thereto.

14 12-20-13 Irvine CA

15 Date and Place



HOMESMART REALTY by
LOUIS WILLIAM PALAFOX

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