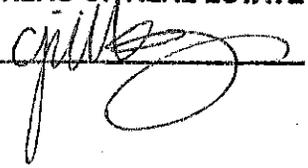


**FILED**

SEP - 9 2015

BUREAU OF REAL ESTATE

By 

1 Bureau of Real Estate  
320 West Fourth Street, Suite 350  
2 Los Angeles, California 90013

3 (213) 576-6982  
4  
5  
6  
7

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of	)	No. H-39706 LA
	)	
12 GEVORG ANTAPLYAN,	)	
	)	<u>STIPULATION AND AGREEMENT</u>
13 Respondent.	)	
	)	
	)	
	)	

16 It is hereby stipulated by and between GEVORG ANTAPLYAN (hereinafter  
17 "Respondent") and his attorney, Mary E. Work, and the Complainant, acting by and through  
18 Judith B. Vasan, Counsel for the Bureau of Real Estate, as follows for the purpose of settling  
19 and disposing of the Accusation filed on January 14, 2015, in Case No. H-39706 LA, in this  
20 matter:  
21

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

27 CALBRE STIPULATION AND AGREEMENT – H-39706 LA

1 Stipulation and Agreement.

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

5 3. On or about January 28, 2015, Respondent filed a Notice of Defense pursuant  
6 to Section 11506 of the Government Code for the purpose of requesting a hearing on the  
7 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice  
8 of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of  
9 Defense he will thereby waive his right to require the Commissioner to prove the allegations in  
10 the Accusation at a contested hearing held in accordance with the provisions of the APA and  
11 that he will waive other rights afforded to him in connection with the hearing such as the right to  
12 present evidence in defense of the allegations in the Accusation and the right to cross-examine  
13 witnesses.  
14

15  
16 4. Respondent, pursuant to the limitations set forth below, hereby admits that the  
17 factual allegations of the Accusation filed in this proceeding are true and correct and the Real  
18 Estate Commissioner shall not be required to provide further evidence of such allegations. The  
19 factual allegations are as follows: On or about April 8, 2014, in the Superior Court of California,  
20 County of Los Angeles, Case No. 3GN00131, Respondent pled nolo contendere to and was  
21 convicted for violation of California Penal Code Section 243(b) (battery upon a peace officer), a  
22 misdemeanor.  
23

24 5. Respondent understands that by agreeing to this Stipulation and Agreement,  
25 Respondent agrees to pay, pursuant to Section 10106 of the California Business and Professions  
26

1 Code (Code), the cost of the investigation and enforcement which resulted in the determination  
2 that Respondent committed the violations found in the Determination of Issues. The total  
3 amount of said costs is \$1,062.95.

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

11  
12 7. The Order or any subsequent Order of the Real Estate Commissioner made  
13 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any  
14 further administrative or civil proceedings by the Bureau of Real Estate with respect to any  
15 matters which were not specifically alleged to be causes for accusation in this proceeding.  
16

17 DETERMINATION OF ISSUES

18 By reason of the foregoing stipulations, admissions and waivers and solely for  
19 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and  
20 agreed that the following determination of issues shall be made:  
21

22 The conduct of Respondent, as set forth in the Accusation, constitutes grounds  
23 for suspension or revocation of Respondent's real estate broker license under the provisions of  
24 Sections 490 and 10177(b) of the Business and Professions Code.  
25  
26

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent GEVORG ANTAPLYAN, under the Real Estate Law are revoked; provided, however, a restricted real estate broker 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 Bureau 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 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 this restricted license.

3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions

1 of a restricted license until one (1) year has elapsed from the date of issuance of the restricted  
2 license to Respondent.

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

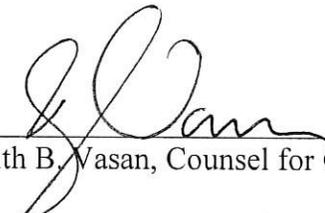
11 5. Respondent shall notify the Commissioner in writing within 72 hours of any  
12 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, P.O. Box  
13 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest,  
14 the crime for which Respondent was arrested and the name and address of the arresting law  
15 enforcement agency. Respondent's failure to timely file written notice shall constitute an  
16 independent violation of the terms of the restricted license and shall be grounds for the  
17 suspension or revocation of that license.

18 6. Pursuant to Section 10106 of the California Business and Professions Code,  
19 Respondent shall, prior to the issuance of the restricted license and as a condition of the issuance  
20 of said restricted license, pay the sum of \$1,062.95 for the Commissioner's reasonable cost of the  
21 investigation and enforcement which led to this disciplinary action. Said payment shall be in the  
22 form of a cashier's check or certified check made payable to the Bureau of Real Estate. The  
23  
24  
25  
26  
27

1 investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section,  
2 at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

3 (a)-The Commissioner shall suspend the licenses of Respondent pending a hearing  
4 held in accordance with Section 11500, et. seq., of the California Government Code, if payment  
5 is not timely made as provided for herein, or as provided for in a subsequent agreement between  
6 the Respondent and the Commissioner. The Commissioner shall afford Respondent the  
7 opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence  
8 that payment was timely made. The suspension shall remain in effect until payment is made in  
9 full or until a decision providing otherwise is adopted following a hearing held pursuant to this  
10 condition.

11 DATED: 7/29/15

12   
13 Judith B. Vasan, Counsel for Complainant  
14 \* \* \*

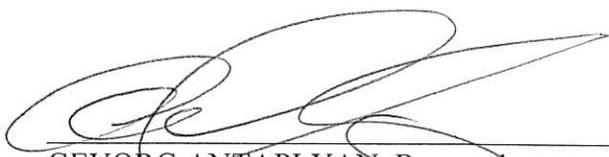
15 I have read the Stipulation and Agreement, have discussed it with my counsel,  
16 and its terms are understood by me and are agreeable and acceptable to me. I understand that I  
17 am waiving rights given to me by the California Administrative Procedure Act (including, but  
18 not limited to Sections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

23 ///

24 ///

1 Respondent can signify acceptance and approval of the terms and conditions of  
2 this Stipulation and Agreement by signing where indicated below.

3  
4  
5 DATED: 7/29/15

  
\_\_\_\_\_  
GEVORG ANTAPLYAN, Respondent

6  
7 \* \* \*

8 *I have reviewed the Stipulation and Agreement as to form and content and have*  
9 *advised my client accordingly.*

10  
11 DATED: 7/29/15

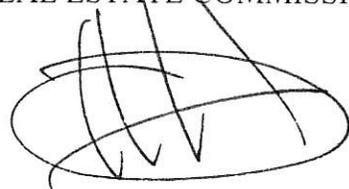
  
\_\_\_\_\_  
Mary E. Work, Attorney for Respondent

12  
13 \* \* \*

14 The foregoing Stipulation and Agreement is hereby adopted as my Decision in  
15 this matter and shall become effective at 12 o'clock noon on ~~SEP 29 2015~~

16  
17 IT IS SO ORDERED AUGUST 26, 2015

18  
19 REAL ESTATE COMMISSIONER

  
\_\_\_\_\_

20  
21  
22  
23 By: JEFFREY MASON  
Chief Deputy Commissioner