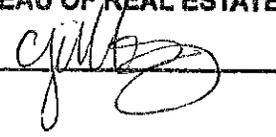


1 Bureau of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013
(213) 576-6982

FILED

SEP - 4 2015

BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 AB AMERICAN DREAM HOMES, INC.;)
SECURELINE REALTY AND FUNDING, INC.;)
13 KONSTANTINE KABILAFKAS,)
individually, and as designated officer of)
14 AB American Dream Homes, Inc. and)
Secureline Realty and Funding, Inc.;)
15 JULIO CESAR ANDIA; and)
TAMARA DADYAN,)

16 Respondents.)
17)

) CalBRE No. H - 39712 LA
) OAH No. 2015031091

) STIPULATION & AGREEMENT
) WITH RESPONDENT
) JULIO CESAR ANDIA

18
19 It is hereby stipulated by and between JULIO CESAR ANDIA ("Respondent
20 ANDIA") and his attorney, R. David DiJulio, and the Complainant, acting by and through
21 Lissete Garcia, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and
22 disposing of the Accusation filed on January 16, 2015, in this matter:

23 1. All issues which were to be contested and all evidence which was to be
24

1 presented by Complainant and Respondent ANDIA at a formal hearing on the Accusation,
2 which hearing was to be held in accordance with the provisions of the Administrative Procedure
3 Act ("APA"), shall instead and in place thereof be submitted solely on the basis of the
4 provisions of this Stipulation and Agreement ("Stipulation").

5 2. Respondent ANDIA has received, read and understands the Statement to
6 Respondent, the Discovery Provisions of the APA and the Accusation, filed by the Bureau of
7 Real Estate ("Bureau") in this proceeding.

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

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

23 5. Respondent understands that by agreeing to this Stipulation, he agrees to pay
24 pursuant to Business and Professions Code Section 10106, the investigation and enforcement

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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondent JULIO CESAR ANDIA 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 Bureau of Real Estate the appropriate fee for the restricted license within 90 days of 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.

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 of a restricted license until at least three (3) years have elapsed from the effective date of this Decision.

1 4. Respondent shall submit with any application for license under an employing
2 broker, or any application for transfer to a new employing broker, a statement signed by the
3 prospective employing real estate broker on a form approved by the Bureau of Real Estate
4 which shall certify:

5 (a) That the employing broker has read the Order of the Commissioner which
6 granted the right to a restricted license, and

7 (b) That the employing broker will exercise close supervision over the
8 performance by the restricted licensee relating to activities for which a real estate license is
9 required.

10 5. Respondent shall, within six (6) months from the effective date of this Order,
11 take and pass the Professional Responsibility Examination administered by the Bureau including
12 the payment of the appropriate examination fee. If Respondent fails to satisfy this condition,
13 Respondent's real estate license shall automatically be suspended until Respondent passes the
14 examination.

15 6. Respondent shall, within nine (9) months from the effective date of this Order,
16 present evidence satisfactory to the Commissioner that Respondent has, since the most recent
17 issuance of an original or renewal real estate license, taken and successfully completed the
18 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for
19 renewal of a real estate license. If Respondent fails to satisfy this condition, Respondent's real
20 estate license shall automatically be suspended until Respondent presents evidence satisfactory
21 to the Commissioner of having taken and successfully completed the continuing education
22 requirements. Proof of completion of the continuing education courses must be delivered to the
23 Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.

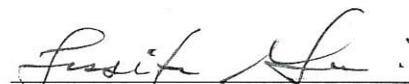
1 7. Respondent shall notify the Commissioner in writing within 72 hours of any
2 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Attn: Flag
3 Section, Post Office Box 137013, Sacramento, CA 95813-7013.

4 8. Respondent shall, prior to the issuance of the restricted license and as a
5 condition of the issuance of said restricted license, pay the sum of \$3,209.10 for the
6 Commissioner's reasonable costs of enforcement and investigation which led to this
7 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
8 Real Estate Fund. The investigative costs must be delivered to the Bureau of Real Estate, Flag
9 Section, at P.O. Box 1370013, Sacramento, CA 95813-7013, prior to the effective date of this
10 Order.

11 9. If Respondent fails to satisfy condition 8, above, the Commissioner shall
12 order the suspension of the restricted license until the Respondent presents evidence of
13 payment. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to
14 the Administrative Procedure Act to present such evidence that payment was timely made. The
15 suspension shall remain in effect until payment is made in full or until a decision providing
16 otherwise is adopted following a hearing held pursuant to this condition.

17 9. A copy of all proofs payment and completed coursework shall be submitted to
18 Bureau of Real Estate Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013,

19
20 DATED: 8/4/2015


LISSETE GARCIA, Counsel for the
Bureau of Real Estate

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2 I have read the Stipulation and Agreement and its terms are understood by me

3 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by

4 the California Administrative Procedure Act (including but not limited to Sections 11506,

5 11308, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily

6 waive those rights, including the right of requiring the Commissioner to prove the allegations in

7 the Accusation at a hearing at which I would have the right to cross-examine witnesses against

8 me and to present evidence in defense and mitigation of the charges.

9 Respondent can signify acceptance and approval of the terms and conditions of

10 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by

11 Respondent, to the Bureau at the following telephone/fax number: (213) 576-6917. Respondent

12 agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy

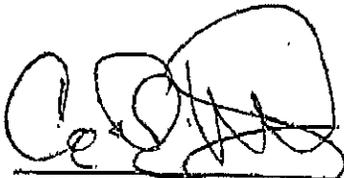
13 of his actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed

14 copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original

15 signed Stipulation and Agreement.

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17 DATED: 8/4/15


 JULIO CESAR ANDIA
 Respondent

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19 I have reviewed the Stipulation and Agreement as to form and content and have

20 advised my client accordingly.

21 DATED: 8/4/15


 R. DAVID DIJULIO,
 Attorney for Respondent Julio Cesar Andia

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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 SEP 24 2015.

IT IS SO ORDERED August 26, 2015.

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner