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FILED

AUG 01 2018

DEPT. OF REAL ESTATE

[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation against

LARA SINITSIN,

Respondent.

DRE No. H-40659 LA

OAH No. 2017070417

In the Matter of the Order to Desist and Refrain
against

LARA SINITSIN, doing business as DEL SOL
PROPERTY MANAGEMENT, INC.

Respondents.

DRE No. H-40677 LA
OAH No. 2017071082

ORDER MODIFYING DISCIPLINARY ACTION

PURSUANT TO STIPULATED JUDGMENT AND REMAND

On March 29, 2018 the Commissioner of the Department of Real Estate¹ signed a Decision revoking the real estate salesperson license of Respondent LARA SINITSIN ("Respondent") in the above-entitled matter. The Commissioner's Decision also ordered Respondent, who also does

¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 business as Del Sol Property Management, Inc. ("Del Sol") to desist and refrain from engaging in
2 acts that require a real estate broker license in the State of California. Said Decision was to become
3 effective on April 30, 2018, and was stayed by separate Order to May 10, 2018.

4 In connection with the rendering of said Decision, on May 29, 2018, Respondent petitioned
5 the Superior Court of the State of California for the County of Los Angeles, in Case No.
6 BS173827, for a Writ of Administrative Mandamus to compel the Real Estate Commissioner to
7 vacate and set aside his Decision.

8 In consideration for the dismissal with prejudice and in complete settlement of
9 Respondent's said Petition for Writ of Administrative Mandamus, with each party to bear its own
10 costs, the following order is made:

11 NOW, THEREFORE, IT IS ORDERED that all licenses and licensing rights of
12 Respondent LARA SINITSIN under the Real Estate Law are revoked; provided, however, a
13 restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5
14 of the Code if Respondent makes application therefor and pays to the Department the appropriate
15 fee for the restricted license within 90 days from the effective date of this Decision and Order. The
16 restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7
17 of the Code and to the following limitations, conditions and restrictions imposed under authority of
18 Section 10156.6 of that Code:

19 1. The restricted license issued to Respondent LARA SINITSIN may be suspended
20 prior to hearing by Order of the Commissioner in the event of Respondent's conviction or plea of
21 nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a
22 real estate licensee.

23 2. The restricted license issued to Respondent may be suspended prior to hearing by
24 Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that
25 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law,
26 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 petition for the issuance of any unrestricted
2 real estate license nor for removal of any of the conditions, limitations or restrictions of a restricted
3 license until four (4) years have elapsed from the effective date of this Decision and Order.
4 Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching
5 to the license have been removed.

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

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

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

15 5. Respondent shall, within nine months from the effective date of this Decision,
16 present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most
17 recent 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 renewal
19 of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order
20 the suspension of the restricted license until the Respondent presents such evidence. The
21 Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative
22 Procedure Act to present such evidence.

23 6. Respondent shall notify the Commissioner in writing within 72 hours of any
24 arrest by sending a certified letter to the Commissioner at Department of Real Estate, Post Office
25 Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's
26 arrest, the crime for which Respondent was arrested, and the name and address of the arresting law
27 enforcement agency. Respondent's failure to timely file written notice shall constitute an

1 independent violation of the terms of the restricted license and shall be grounds for the suspension
2 or revocation of that license.

3 7. All licenses and licensing rights of Respondent are indefinitely suspended unless
4 or until Respondent provides proof satisfactory to the Commissioner, of having paid the amount of
5 \$1,920.00 as restitution to victim, V.P. Proof of satisfaction of this requirement includes: a
6 certified copy of the satisfaction of judgment; a letter from an attorney or certified public
7 accountant testifying under penalty of Perjury to the fact that said judgment has been paid by
8 Respondent; a copy of a cancelled check to the victim; and/or a letter from the victim attesting that
9 repayment of funds has been received. **Proof of payment must be delivered to the Department**
10 **of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013 or by fax at**
11 **916-263-8758, prior to the effective date of this Decision and Order.**

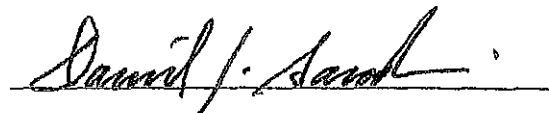
12 8. All licenses and licensing rights of Respondent are indefinitely suspended unless
13 or until Respondent pays the sum of \$5,446.40 for the Commissioner's reasonable cost of the
14 investigation and enforcement which led to this disciplinary action. Said payment shall be in the
15 form of a cashier's check made payable to the Department of Real Estate. **The investigative and**
16 **enforcement costs must be delivered to the Department of Real Estate, Flag Section at P.O.**
17 **Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and**
18 **Order.**

19 This Order shall be effective immediately.

20 IT IS SO ORDERED July 29, 2019

21 DANIEL SANDRI

22 ACTING REAL ESTATE COMMISSIONER

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