

1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED

FEB 22 2019

DEPT. OF REAL ESTATE

By Sigurd Danneberg

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-40892 LA
12)
13 LANCE RICHARD HALL;) STIPULATION
14) AND
15 AMERICO MORTGAGE CORPORATION; and) AGREEMENT
16)
17 SCOTT JAMES WEIDENHAMMER,)
designated officer of Americo Mortgage Corporation)
Respondent.)

18 It is hereby stipulated by and between Respondent LANCE RICHARD HALL
19 (“HALL”), and the Complainant, acting by and through Julie L. To, Counsel for the Department
20 of Real Estate (“Department” or “DRE”), as follows for the purpose of settling and disposing of
21 the Second Amended Accusation (“Accusation”) filed on February 14, 2018, in Case No. H-
22 40892 LA, in this matter.

23 1. All issues which were to be contested and all evidence which was to be
24 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
25 was to be held in accordance with the provisions of the Administrative Procedure Act (“APA”),
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27 DRE Stipulation & Agreement – Lance Richard Hall, H-40892 LA

1 shall instead and in place thereof be submitted solely on the basis of the provisions of this
2 Stipulation and Agreement (“Stipulation”).

3 2. Respondent has received, read and understands the Statement to Respondent,
4 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
5 (“Department”) in this proceeding.

6 3. On January 3, 2018, Respondent timely filed his Notice of Defense pursuant to
7 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations
8 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
9 Respondent acknowledges that he understands that by withdrawing said Notice of Defense he
10 thereby waives his right to require the Commissioner to prove the allegations in the Accusation at
11 a contested hearing held in accordance with the provisions of the APA and that he will waive
12 other rights afforded to him in connection with the hearing such as the right to present evidence
13 in his defense and the right to cross-examine witnesses.

14 4. This Stipulation is based on the factual allegations contained in the Accusation.
15 In the interest of expedience and economy, Respondent chooses not to contest these allegations,
16 but to remain silent, and understands that, as a result thereof, these factual allegations, without
17 being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to
18 herein. The Real Estate Commissioner shall not be required to provide further evidence to prove
19 said factual allegations.

20 5. This Stipulation is made for the purpose of reaching an agreed disposition of
21 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
22 which the Department of Real Estate (“Department”) or another licensing agency of this state,
23 another state, or if the federal government is involved, and otherwise shall not be admissible in
24 any other criminal or civil proceeding.

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

8 7. The Order or any subsequent Order of the Real Estate Commissioner made
9 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
10 administrative or civil proceedings by the Department of Real Estate with respect to any matters
11 which were not specifically alleged to be causes for Accusation in this proceeding but do
12 constitute a bar, estoppel and merger as to any allegations actually contained in the Accusations
13 against Respondent herein.

14 8. Respondent understands that by agreeing to this Stipulation, Respondent agrees
15 to pay, pursuant to Code Section 10106, his portion of the Commissioner's cost of the
16 investigation and enforcement which resulted in the determination that Respondent committed
17 the violations found in the Determination of Issues. The amount of said costs is \$9,966.50;
18 therefore, Respondent agrees to pay, pursuant to Code Section 10106, the amount \$3,322.16.

19 DETERMINATION OF ISSUES

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

23 The conduct, acts or omissions of Respondent LANCE RICHARD HALL, as
24 described in Paragraph 4, herein above, are in violation of: Code Section 10137 and is basis for
25 the suspension or revocation of the licenses and license rights of Respondent HALL as a
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1 violation of the Real Estate Law pursuant to Code Sections 10177(d).

2 ORDER

3 WHEREFORE, THE FOLLOWING ORDER is hereby made:

4 All licenses and licensing rights of Respondent LANCE RICHARD HALL under
5 the Real Estate Law are suspended for a period of one hundred twenty (120) days from the
6 effective date of this Decision and Order; provided, however, that:

7 1. One hundred twenty (120) days of said suspension shall be stayed for two (2)
8 years upon the following terms and conditions:

9 a) Respondent HALL shall obey all laws, rules and regulations governing the
10 rights, duties and responsibilities of a real estate licensee in the State of
11 California; and,

12 b) That no final subsequent determination be made, after hearing or upon
13 stipulation, that cause of disciplinary action occurred within two (2) years
14 from the effective date of this Decision and Order. Should such a
15 determination be made, the Commissioner may, in his discretion, vacate and
16 set aside the stay order and reimpose all or a portion of the stayed suspension.
17 Should no such determination be made, the stay imposed herein shall become
18 permanent.


19 2. Respondent HALL shall, within six (6) months from the effective date of this
20 Decision and Order, take and pass the Professional Responsibility Examination administered by
21 the Department including the payment of the appropriate examination fee. If Respondent fails
22 to satisfy this condition, Respondent's real estate license shall automatically be suspended until
23 Respondent passes the examination.

24 3. Respondent HALL shall, within nine (9) months from the effective date of this
25 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
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1 since the most recent issuance of an original or renewal real estate license, taken and successfully
2 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
3 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
4 Respondent's real estate license shall automatically be suspended until Respondent presents
5 evidence satisfactory to the Commissioner of having taken and successfully completed the
6 continuing education requirements. Proof of completion of the continuing education courses
7 must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
8 Sacramento, CA 95813-7013.

9 4. All licenses and licensing rights of Respondent HALL are indefinitely
10 suspended unless or until Respondent pays the sum of \$3,322.16 for the Commissioner's
11 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
12 payment shall be in the form of a cashier's check or certified check made payable to the
13 Department of Real Estate. The investigation and enforcement costs must be delivered to the
14 Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior
15 to the effective date of this Decision and Order.

16 DATED: 1-25-19

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18 Julie L. To, Counsel for Complainant

19 * * *

20 EXECUTION OF THE STIPULATION

21 I have read the Stipulation and Agreement and its terms are understood by me
22 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by
23 the California Administrative Procedure Act (including, but not limited to Sections 11506,
24 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily
25 waive those rights, including the right of requiring the Commissioner to prove the allegations in
26 the Accusation at a hearing at which I would have the right to cross-examine witnesses against
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1 me and to present evidence in defense and mitigation of the charges.

2 MAILING AND E-MAIL

3 Respondent shall send a hard copy of the original signed Stipulation and
4 Agreement to: Julie L. To, Department of Real Estate, 320 West Fourth Street, Suite 350, Los
5 Angeles, CA 90013. In the event of time constraints before an administrative hearing,
6 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation
7 and Agreement by emailing a scanned copy of the signature page, as actually signed by
8 Respondent, to the DRE counsel assigned to this case. Respondent agrees, acknowledges and
9 understands that by electronically sending the DRE a scan of Respondent's actual signature as it
10 appears on the Stipulation and Agreement, that receipt of the scan by the DRE shall be binding
11 on Respondent as if the DRE had received the original signed Stipulation and Agreement.

12
13 DATED: 1-18-19

Lance Hall

14 LANCE RICHARD HALL, Respondent

15 * * *

16 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
17 this matter and shall become effective at 12 o'clock noon on MAR 13 2019.

18 IT IS SO ORDERED February 19, 2019.

19 DANIEL J. SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21 Daniel J Sandri