



1           2.       Respondents have received, read, and understand the Statement to Respondent, the  
2       Discovery Provisions of the APA, and the Accusation filed by the Department of Real Estate in this  
3       proceeding.

4           3.       On January 27, 2020, each of the Respondents filed a Notice of Defense pursuant to  
5       section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in  
6       the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense.  
7       Respondents acknowledge that Respondents understand that by withdrawing said Notices of  
8       Defense, Respondents will thereby waive Respondents' right to require the Real Estate  
9       Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested hearing  
10      held in accordance with the provisions of the APA and that Respondents will waive other rights  
11      afforded to Respondents in connection with the hearing such as the right to present evidence in  
12      defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

19          5.       This Stipulation and Respondents' decision not to contest the Accusation are made  
20      for the purpose of reaching an agreed disposition of this proceeding and are expressly limited to  
21      this proceeding and any other proceeding or case in which the Department, or another licensing  
22      agency of this state, another state, or if the federal government is involved, and otherwise shall not  
23      be admissible in any other criminal or civil proceedings.

24          6.       It is understood by the parties that the Real Estate Commissioner may adopt the  
25      Stipulation as his Decision in this matter, thereby imposing the penalty and sanctions on  
26      Respondents' real estate licenses and license rights as set forth in the below Order. In the event  
27      that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and of no

28      ///

1 effect, and Respondents shall retain the right to a hearing and proceeding on the Accusation under  
2 all the provisions of the APA and shall not be bound by any admission or waiver made herein.

3 7. The Order or any subsequent Order of the Commissioner made pursuant to this  
4 Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil  
5 proceedings by the Department with respect to any matters which were not specifically alleged to  
6 be causes for the Accusation in this proceeding.

7 8. Respondents understand that by agreeing to this Stipulation, Respondents agree to  
8 pay, pursuant to Business and Professions Code Section 10148, the cost of the original audit which  
9 led to this disciplinary action. The amount of said cost is \$10,039.04.

10 9. Respondents have received, read, and understand the "Notice Concerning Costs of  
11 Subsequent Audit." Respondents further understand that by agreeing to this Stipulation, the  
12 findings set forth below in the Determination of Issues become final, and the Commissioner may  
13 charge SC for the cost of any subsequent audit conducted pursuant to Business and Professions  
14 Code Section 10148 to determine if the violations have been corrected. The maximum cost of the  
15 subsequent audit shall not exceed 125% of cost of the original audit.

16 10. Respondents understand that by agreeing to this Stipulation, Respondents agree to  
17 pay, pursuant to Business and Professions Code Section 10106, the cost of the investigation and  
18 enforcement of this matter. The amount of said cost is \$1,503.60.

19 DETERMINATION OF ISSUES

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

23 I.

24 The conduct, acts, and/or omissions of Respondent SC as described in the Accusation,  
25 constitute cause for the suspension or revocation of all real estate licenses and license rights of  
26 Respondent SC under California Business and Professions Code ("Code") Sections 10141.6 and  
27 10145, and Title 10, Chapter 6, California Code of Regulations ("Regulations") Sections 2831,  
28 2831.1, 2832.1, 2950(d), 2950(g), 2950(h), and 2951. By separate Voluntary Surrender

1 Declaration, SC will voluntarily surrender its real estate licenses issued by the Department,  
2 pursuant to Code Section 10100.2.

3 II.

4 The conduct, acts, and/or omissions of Respondent GOMEZ, as described in the  
5 Accusation, constitute cause for the suspension or revocation of all real estate licenses and license  
6 rights of Respondent GOMEZ under Code Section 10159.2 and Regulation 2725.

7 III.

8 The conduct, acts, and/or omissions of Respondent ROMERO, as described in the  
9 Accusation, constitute cause for the suspension or revocation of all real estate licenses and license  
10 rights of Respondent ROMERO under Code Section 10159.2 and Regulation 2725.

11 ORDER

12 I.

13 All licenses and licensing rights of Respondent GOMEZ under the Real Estate Law are  
14 revoked; provided, however: (1) a restricted real estate broker license shall be issued to Respondent  
15 GOMEZ pursuant to Section 10156.5 of the Code if Respondent GOMEZ makes application  
16 therefore and pays to the Department the appropriate fee for a restricted license within ninety (90)  
17 days from the effective date of this Decision and Order. The restricted license issued to  
18 Respondent GOMEZ shall be subject to all of the provisions of Section 10156.7 of the Code and to  
19 the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of  
20 the Code:

21 1. The restricted license issued to Respondent GOMEZ may be suspended prior  
22 to hearing by Order of the Commissioner in the event of Respondent GOMEZ's conviction, or  
23 entry of a plea of guilty or no contest, for a crime that is substantially related to the qualifications,  
24 functions, or duties of a real estate licensee.

25 2. The restricted license issued to Respondent GOMEZ may be suspended prior  
26 to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner  
27 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands

28 ///

1 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted  
2 licenses.

3           3.       Respondent GOMEZ shall not be eligible to apply for the issuance of  
4 unrestricted real estate licenses nor for removal of any of the conditions, limitations or restrictions  
5 of a restricted license until two (2) years have elapsed from the effective date of this Decision and  
6 Order.

7           4.       For a period of two (2) years from the effective date of this Decision and  
8 Order, Respondent GOMEZ shall not be the designated officer of any corporation that she is not  
9 the one-hundred (100) percent owner of.

10           5.       All license and licensing rights of Respondent GOMEZ are indefinitely  
11 suspended unless or until Respondent GOMEZ provides evidence satisfactory to the Commissioner  
12 of having taken and successfully completed the continuing education course on trust fund  
13 accounting and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the  
14 Business and Professions Code. Proof of satisfaction of these requirements includes evidence that  
15 Respondent GOMEZ has successfully completed the trust fund account and handling continuing  
16 education courses, no earlier than one hundred and twenty (120) days prior to the effective date of  
17 this Decision and Order. Proof of completion of the trust fund accounting and handling course  
18 must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento,  
19 CA 95813-7013, no earlier than one hundred and twenty (120) days prior to the effective date of  
20 this Decision and Order.

21           6.       Respondent GOMEZ shall pay, severally or jointly with Respondents SC and  
22 ROMERO, the sum of \$1,503.60 for the Commissioner's reasonable cost of the investigation and  
23 enforcement which led to this disciplinary action **within sixty (60) days from the effective date of**  
24 **this Decision and Order.** Said payment shall be in the form of a cashier's check made payable to  
25 the Department of Real Estate. **The investigative and enforcement costs must be delivered to**  
26 **the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.**  
27 **Payment of investigation and enforcement costs should not be made until the Stipulation has**  
28 **been approved by the Commissioner.** If Respondents fail to satisfy this condition in a timely



1 **the Stipulation has been approved by the Commissioner.**

2 b. No further cause for disciplinary action against the Real Estate license(s) of  
3 Respondent ROMERO occurs within two (2) years from the effective date of the Decision  
4 and Order in this matter.

5 c. If Respondent ROMERO fails to pay the monetary penalty in accordance  
6 with the terms and conditions of this Decision and Order, the suspension shall go into effect  
7 automatically. Respondent ROMERO shall not be entitled to any repayment nor credit,  
8 prorated or otherwise, for money paid to the Department under the terms of this Decision  
9 and Order.

10 d. If Respondent ROMERO pays the monetary penalty under this Stipulation  
11 and Agreement and if no further cause for disciplinary action against the Real Estate  
12 license(s) of Respondent ROMERO occurs within two (2) years from the effective date of  
13 this Decision and Order, the entire stay hereby granted pursuant to this Decision and Order,  
14 shall become permanent.

15 2. The remaining thirty (30) days of said suspension shall be stayed for two (2) years  
16 upon the following terms and conditions:

17 a. Respondent ROMERO shall obey all laws, rules and regulations governing  
18 the rights, duties and responsibilities of a real estate licensee in the State of California; and,

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

25 3. For a period of two (2) years from the effective date of this Decision and Order,  
26 Respondent ROMERO shall not be the designated officer of any corporation that she is not at least  
27 a fifty (50) percent owner of.

28 ///

1           4. All license and licensing rights of Respondent ROMERO are indefinitely suspended  
2 unless or until Respondent ROMERO provides evidence satisfactory to the Commissioner of  
3 having taken and successfully completed the continuing education course on trust fund accounting  
4 and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and  
5 Professions Code. Proof of satisfaction of these requirements includes evidence that Respondent  
6 ROMERO has successfully completed the trust fund account and handling continuing education  
7 courses, no earlier than one hundred and twenty (120) days prior to the effective date of this  
8 Decision and Order. Proof of completion of the trust fund accounting and handling course must be  
9 delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA  
10 95813-7013, no earlier than one hundred and twenty (120) days prior to the effective date of this  
11 Decision and Order.

12           5. Respondent ROMERO shall pay, severally or jointly with Respondents SC and  
13 GOMEZ, the sum of \$1,503.60 for the Commissioner's reasonable cost of the investigation and  
14 enforcement which led to this disciplinary action **within sixty (60) days from the effective date of**  
15 **this Decision and Order.** Said payment shall be in the form of a cashier's check made payable to  
16 the Department of Real Estate. **The investigative and enforcement costs must be delivered to**  
17 **the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.**  
18 **Payment of investigation and enforcement costs should not be made until the Stipulation has**  
19 **been approved by the Commissioner.** If Respondents fail to satisfy this condition in a timely  
20 manner as provided for herein, Respondents' real estate licenses shall automatically be suspended  
21 until payment is made in full, or until a decision providing otherwise is adopted following a hearing  
22 held pursuant to this condition.

23           6. Pursuant to section 10148 of the Code, Respondent ROMERO shall pay, severally  
24 or jointly with Respondents SC and GOMEZ, the sum of \$10,039.04 for the Commissioner's cost  
25 of the audit which led to this disciplinary action. **Respondents shall pay such cost within sixty**  
26 **(60) days of receiving an invoice therefore from the Commissioner. Payment of audit costs**  
27 **should not be made until Respondents receive the invoice.** If Respondents fail to satisfy this  
28 condition in a timely manner as provided for herein, Respondents' real estate licenses shall



1 automatically be suspended until payment is made in full, or until a decision providing otherwise is  
2 adopted following a hearing held pursuant to this condition.

3 7. Payment of the audit costs should not be made until Respondents receive the  
4 invoice. If Respondents fail to satisfy this condition in a timely manner as provided for herein,  
5 Respondents' real estate licenses shall automatically be suspended until payment is made in full, or  
6 until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

7  
8 DATED: 3/3/2021

  
9 Laurence D. Haverson  
10 Counsel for Complainant

11 \* \* \*

### 12 EXECUTION OF THE STIPULATION

13 We have read this Stipulation and its terms are understood by us and are agreeable and  
14 acceptable to us. We understand that we are waiving rights given to us by the California APA  
15 (including, but not limited to, sections 11506, 11508, 11509, and 11513 of the Government Code),  
16 and we willingly, intelligently, and voluntarily waive those rights, including the right of requiring  
17 the Commissioner to prove the allegations in the Accusation at a hearing at which we would have  
18 the right to cross-examine witnesses against us and to present evidence in defense and mitigation of  
19 the charges.

20 Respondents can signify acceptance and approval of the terms and conditions of this  
21 Stipulation and Agreement by electronically e-mailing a copy of the signature pages, as actually  
22 signed by Respondents, to the Department. Respondents agree, acknowledge, and understand that  
23 by electronically sending to the Department an electronic copy of Respondents' actual signatures,  
24 as they appear on the Stipulation, that receipt of the emailed copy by the Department shall be as  
25 binding on Respondents as if the Department had received the original signed Stipulation. By  
26 signing this Stipulation, Respondents understand and agree that Respondents may not withdraw  
27 their agreement or seek to rescind the Stipulation prior to the time the Commissioner considers and  
28 acts upon it or prior to the effective date of the Stipulation and Order.

///



MAILING

Respondents and their counsel shall, within five (5) business days from signing the Stipulation, mail the original signed signature page(s) of the Stipulation herein to Laurence Haveson, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Room 350, Los Angeles, California 90013-1105.

Respondents' signatures below constitute acceptance and approval of the terms and conditions of this Stipulation. Respondents agree, acknowledge, and understand that by signing this Stipulation Respondents are bound by its terms as of the date of such signature and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.

DATED: 8.26.21

Cynthia J. Gomez  
Respondent CYNTHIA JANETTE GOMEZ

DATED: \_\_\_\_\_

Respondent CATHERINE ROMERO

DATED: \_\_\_\_\_

Frank M. Buda  
Attorney for Respondents  
*Approved as to Form*

21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

\* \* \*

The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on June 7<sup>th</sup>, 2021.

IT IS SO ORDERED 5-4-21, 2021.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

Douglas R. McCauley