

**BEFORE THE
DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the Accusation and Petition to
Revoke Probation Against:

JAMES L. HAUSEL

Real Estate Appraiser License No.
AR009954

Respondent.

Case No. 120113-04

OAH No. 2012110462

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Director of the Office of Real Estate Appraisers, as its Decision in this matter.

This Decision shall become effective on 7-26-13.

It is so ORDERED 6-26-13

Original Signed

FOR THE DIRECTOR OF THE OFFICE OF REAL ESTATE
APPRAISERS

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 CHAR SACHSON
Deputy Attorney General
4 State Bar No. 161032
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5558
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA
9

10 In the Matter of the Accusation and Petition to
11 Revoke Probation Against:

12 **JAMES L. HAUSEL**

13 **Real Estate Appraiser License No.**
14 **AR009954**

15 Respondent.

Case No. 120113-04

OAH No. 2012110462

STIPULATED SURRENDER OF
LICENSE AND ORDER

16
17 In the interest of a prompt and speedy resolution of this matter, consistent with the public
18 interest and the responsibility of the Director of the Office of Real Estate Appraisers the parties
19 hereby agree to the following Stipulated Surrender of License and Order which will be submitted
20 to the Director for approval and adoption as the final disposition of the Accusation and Petition to
21 Revoke Probation.

22 **PARTIES**

23 1. Elizabeth Seaters is the Chief of Enforcement of Complainant, the Office of Real
24 Estate Appraisers (Complainant). She brought this action solely in her capacity and is
25 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
26 Char Sachson, Deputy Attorney General.

27 2. James L. Hausel (Respondent) is represented in this proceeding by attorney Glen L.
28 Moss, whose address is 1297 B St., Hayward, CA 94541.

1 to the issuance of subpoenas to compel the attendance of witnesses and the production of
2 documents; the right to reconsideration and court review of an adverse decision; and all other
3 rights accorded by the California Administrative Procedure Act and other applicable laws.

4 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
5 every right set forth above.

6
7 CULPABILITY

8 9. Respondent understands and agrees that the charges and allegations in Accusation
9 and Petition to Revoke Probation No. 120113-04, if proven at a hearing, constitute cause for
10 imposing discipline upon his Real Estate Appraiser License No. AR009954.

11 10. For the purpose of resolving the Accusation and Petition to Revoke Probation without
12 the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing,
13 Complainant could establish a factual basis for the charges in the Accusation and Petition to
14 Revoke Probation, and that Respondent hereby gives up his right to contest those charges.

15 3. Respondent agrees that his Real Estate Appraiser License is subject to discipline and
16 he agrees to be bound by the Director's imposition of discipline as set forth in the Disciplinary
17 Order below and hereby surrenders his Real Estate Appraiser License No. AR009954 for the
18 Director's formal acceptance.

19 11. Respondent understands that by signing this stipulation he enables the Director to
20 issue his order accepting the surrender of his Real Estate Appraiser License without further
21 process.

22 12. Respondent understands and agrees that, by signing this Stipulated Settlement, the
23 Director will treat any application for licensure, or certificate of registration as an appraisal
24 management company, or petition for reinstatement as a new application for licensure.

25 12. Respondent understands and acknowledges that, pursuant to Business and Professions
26 Code section 11409(c)(2), the Office of Real Estate Appraisers is not authorized to accept a new
27 application from Respondent for licensure or certification until such time that payment of the
28

1 costs of investigation, enforcement and prosecution of this case, as imposed by this order, is
2 received in full.

3 CONTINGENCY

4 13. This stipulation shall be subject to approval by the Director or the Director's designee.
5 Respondent understands and agrees that counsel for Complainant and the staff of the Office of
6 Real Estate Appraisers may communicate directly with the Director and staff regarding this
7 stipulation and surrender, without notice to or participation by Respondent or his counsel. By
8 signing the stipulation, Respondent understands and agrees that he may not withdraw his
9 agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon
10 it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated
11 Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall
12 be inadmissible in any legal action between the parties, and the Director shall not be disqualified
13 from further action by having considered this matter.

14 14. The parties understand and agree that facsimile copies of this Stipulated Surrender of
15 License and Order, including facsimile signatures thereto, shall have the same force and effect as
16 the originals.

17 15. This Stipulated Surrender of License and Order is intended by the parties to be an
18 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
19 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
20 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
21 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
22 executed by an authorized representative of each of the parties.

23 16. In consideration of the foregoing admissions and stipulations, the parties agree that
24 the Director may, without further notice or formal proceeding, issue and enter the following
25 Order:

26 ORDER

27 IT IS HEREBY ORDERED that Real Estate Appraiser License No. AR009954, issued to
28 Respondent James L. Hausel, is surrendered and accepted by the Director of the Office of Real

1 Estate Appraisers.

2 1. The surrender of Respondent's Real Estate Appraiser License and the acceptance of
3 the surrendered license by the Director shall constitute the imposition of discipline against
4 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
5 Respondent's license history with the Office of Real Estate Appraisers.

6 2. Respondent shall lose all rights and privileges as a real estate appraiser in California
7 as of the effective date of the Director's Decision and Order.

8 3. Respondent shall cause to be delivered to the Director his pocket license and, if one
9 was issued, his wall certificate on or before the effective date of the Decision and Order.

10 4. If he ever applies for licensure or any certificate or registration as an appraisal
11 management company to the Office of Real Estate Appraisers, or petitions for reinstatement in
12 the State of California, the Director shall treat it as a new application for licensure or certification.
13 Respondent must comply with all the laws, regulations and procedures for licensure in effect at
14 the time the application or petition is filed, and all of the charges and allegations contained in
15 Accusation and Petition to Revoke Probation No. 120113-04 shall be deemed to be true, correct
16 and admitted by Respondent when the Director determines whether to grant or deny the
17 application or petition.

18 5. Respondent shall not be eligible to apply for a new license or for a certification of
19 registration as an appraisal management company until one year from the effective date of this
20 Stipulated Surrender.

21 6. Respondent shall pay the agency its costs of investigation and enforcement in the
22 amount of \$9,539.41 prior to and as a condition precedent to issuance of a new or reinstated
23 license. However, Respondent shall not be required to pay these charges so long as his license
24 remains surrendered.

25 ACCEPTANCE

26 I have carefully read the above Stipulated Surrender of License and Order and have fully
27 discussed it with my attorney, Glen L. Moss. I understand the stipulation and the effect it will
28 have on my Real Estate Appraiser License. I enter into this Stipulated Surrender of License and

1 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
2 of the Director of the Office of Real Estate Appraisers.

3
4 DATED: June 6, 2013 **Original Signed**
5 JAMES L. HAUSEL
Respondent

6 I have read and fully discussed with Respondent James L. Hausel the terms and conditions
7 and other matters contained in this Stipulated Surrender of License and Order. I approve its form
8 and content.

9 DATED: June 6 2013 **Original Signed**
10 GLEN L. MOSS
11 Attorney for Respondent

12 ENDORSEMENT

13 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
14 for consideration by the Director of the Office of Real Estate Appraisers.

15 Dated: 6/10/13 Respectfully submitted,
16 KAMALA D. HARRIS
17 Attorney General of California
18 FRANK H. PACOE
Supervising Deputy Attorney General
19 **Original Signed**
20 CHAR SACHSON
21 Deputy Attorney General
Attorneys for Complainant

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