

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

In the Matter of the of the
Real Estate Appraiser License of:

Pedro Garcia,

Respondent.

DECISION AND ORDER

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

This Decision shall become effective on 12-15-15.

It is so ORDERED 11-13-15.

Original Signed

JAMES MARTIN, BUREAU CHIEF,
BUREAU OF REAL ESTATE APPRAISERS
DEPARTMENT OF CONSUMER AFFAIRS

1 Bureau of Real Estate Appraisers
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5 **BEFORE THE**
CHIEF OF THE BUREAU OF REAL ESTATE APPRAISERS
6 **STATE OF CALIFORNIA**

7 In the Matter of the Administrative Allegation of
8 Violation Against:

Case No. C20150722-02

9 **Pedro J. Garcia**
Real Estate Appraiser License No. 017556

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

10 Respondent.

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12 In the interest of a prompt and speedy settlement of this matter, consistent with the public
13 interest and mission of the Bureau of Real Estate Appraisers ("Bureau"), the parties hereby agree
14 to the following Stipulated Surrender of License and Order ("Stipulated Surrender") which will
15 be submitted to the Chief of the Bureau of Real Estate Appraisers ("Bureau Chief") for approval
16 and adoption as the final disposition of this proceeding:

17 PARTIES

18 1. Elizabeth Seaters, acting on behalf of the Bureau of Real Estate Appraisers
19 ("Complainant"), brings this action solely in her official capacity as Chief of Enforcement for
20 Complainant.

21 2. Pedro J. Garcia ("Respondent") is representing himself and has chosen not to
22 exercise his right to be represented by counsel.

23 3. On or about December 7, 1993, the Bureau issued Real Estate Appraiser License
24 number 017556 to Respondent. Respondent's License was in full force and effect at all times
25 relevant to the attached administrative allegation of violation and unless renewed will expire on
26 January 7, 2017.

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JURISDICTION

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2 4. The Bureau initiated an investigation resulting in the administrative allegation of
3 violation associated with Case No. C20150722-02.

4 5. When deemed by the Bureau Chief to be in the public interest, the Bureau Chief has
5 the authority under Business and Professions Code section 11315.5 to enter into a settlement
6 related to administrative allegation of violation of the Real Estate Appraisers' Licensing and
7 Certification Law or regulations promulgated pursuant thereto, upon any terms and conditions as
8 the Bureau Chief deems appropriate.

9 6. The administrative allegation of violation associated with the Complainant's Case
10 No. C20150722-02 against Respondent is attached as Exhibit "A" and incorporated herein by
11 reference.

ADVISEMENT AND WAIVERS

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13 7. Respondent has carefully read and understands the charges and allegations in the
14 administrative allegation of violation associated with Case No. C20150722-02. Respondent has
15 also carefully read and understands the effects of this Stipulated Surrender.

16 8. Respondent is fully aware of his legal rights in this matter, including the right to a
17 hearing on the administrative allegation of violation developed in the Bureau of Real Estate
18 Appraisers Case No. C20150722-02; the right to be represented by counsel at his own expense;
19 the right to confront and cross-examine the witnesses against him; the right to present evidence
20 and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance
21 of witnesses and the production of documents; the right to reconsideration and court review of an
22 adverse decision; and all other rights accorded by the California Administrative Procedure Act
23 and other applicable laws.

24 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

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1 CULPABILITY

2 10. Respondent admits the truth of each and every administrative allegation of violation
3 attached as Exhibit "A", and agrees that cause exists for discipline against his Real Estate
4 Appraiser License No. 017556.

5 11. Respondent agrees that his Real Estate Appraiser License No. 017556 is subject to
6 discipline and he agrees to be bound by the Bureau Chief's imposition of discipline as set forth in
7 the following Disciplinary Order.

8 CONTINGENCY

9 12. This Stipulated Surrender shall be subject to approval by the Bureau Chief.
10 Respondent understands and agrees that counsel for Complainant and Complainant's staff may
11 communicate directly with the Bureau Chief regarding this Stipulated Surrender, without notice
12 to or participation by Respondent or his counsel. By signing this Stipulated Surrender,
13 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind
14 this Stipulated Surrender prior to the time the Bureau Chief considers and acts upon it. If the
15 Bureau Chief fails to adopt this Stipulated Surrender, the Stipulated Surrender shall be of no force
16 or effect, and, except for this paragraph, it shall be inadmissible in any legal action between the
17 parties, and the Bureau Chief shall not be disqualified from further action by having considered
18 this matter.

19 13. The parties understand and agree that Portable Document Format ("PDF") or
20 facsimile copies of this Stipulated Surrender, including PDF or facsimile signatures thereto, shall
21 have the same force and effect as the originals.

22 14. This Stipulated Surrender is intended by the parties to be an integrated writing
23 representing the complete, final, and exclusive embodiment of their agreement. It supersedes any
24 and all prior or contemporaneous agreements, understandings, discussions, negotiations, and
25 commitments (written or oral). This Stipulated Surrender may not be altered, amended, modified,
26 supplemented, or otherwise changed except by a writing executed by an authorized representative
27 of each of the parties.
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ENDORSEMENT

The foregoing Stipulated Surrender is hereby respectfully submitted for the Bureau Chief's consideration.

Dated: 11/9/2015

Original Signed

Elizabeth Seaters
Chief of Enforcement

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Exhibit A

Administrative Allegation of Violation - Case No. C20150722-02

Respondent forged the signature of California licensed appraiser Jack Flynn on the following appraisal reports: 1) on or about April 21, 2015, Respondent completed an appraisal of the property located at 1317 Cambridge Drive, Glendale, California; 2) on or about April 20, 2015, Respondent completed an appraisal of the property located at 3811 S. Cloverdale Avenue, Los Angeles, California; 3) on or about April 13, 2015, Respondent completed an appraisal of the property located at 4022 W. 173rd Place, Torrance, California; 4) on or about January 14, 2015, Respondent completed an appraisal of the property located at 14759 Morningfield Drive, Chino Hills, California; 5) on or about March 8, 2014, Respondent completed an appraisal of the property located at 1505 2nd Street, Manhattan Beach, California; 6) on or about November 12, 2013, Respondent completed an appraisal of the property located at 25 Santa Rosa Court, Manhattan Beach, California.

Pursuant to title 10 of the California Code of Regulations section 3721(a)(2), Respondent's license is subject to discipline because forging the signature of Jack Flynn is an act involving dishonesty, fraud or deceit with the intent to benefit himself or another, or to injure another.

Pursuant to title 10 of the California Code of Regulations section 3721(a)(6), Respondent's license is subject to discipline because forging the signature of Jack Flynn violates USPAP.

Pursuant to title 10 of the California Code of Regulations section 3721(a)(7), Respondent's license is subject to discipline because forging the signature of Jack Flynn demonstrates Respondent does not possess the qualifications of honesty, candor, integrity, and trustworthiness that are directly and substantially related to and indispensable to the practice of the appraisal profession. (See title 10 of the California Code of Regulations section 3702(a)(1) and (3).)