

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:

Case No. BL-C20160510-02

James Stevens,
 Real Estate Appraiser License No. 044665

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 6-16-16.

It is so ORDERED 6-16-16.

Original Signed

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

1 Bureau of Real Estate Appraisers
2 1102 Q Street, Suite 4100
3 Sacramento, CA 95811

4 Telephone: (916) 552-9742
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6 **BEFORE THE**
7 **CHIEF OF THE BUREAU OF REAL ESTATE APPRAISERS**
8 **STATE OF CALIFORNIA**

9 In the Matter of the Administrative Allegation of
10 Violation Against:

Case No. BL C20160510-02

11 **James Stevens**
12 **Real Estate Appraiser License No. 044665**

**STIPULATED SURRENDER OF
13 LICENSE AND ORDER**

14 Respondent.

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

20 **PARTIES**

- 21 1. Elizabeth Seaters, acting on behalf of the Bureau of Real Estate Appraisers
- 22 ("Complainant"), brings this action solely in her official capacity as Chief of Enforcement for
- 23 Complainant.
- 24 2. James Stevens ("Respondent") is representing himself and has chosen not to exercise
- 25 his right to be represented by counsel.
- 26 3. On or about October 21, 2010, the Bureau issued Real Estate Appraiser License
- 27 number 044665 to Respondent. Respondent's License was in full force and effect at all times
- 28 relevant to the attached administrative allegation of violation and unless renewed will expire on
- December 20, 2016.

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JURISDICTION

4. The Bureau initiated an investigation resulting in the administrative allegation of violation associated with Case No. BL C20160510-02.

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

6. The administrative allegation of violation associated with the Complainant's Case No. BL C20160510-02 against Respondent is attached as Exhibit "A" and incorporated herein by reference.

ADVISEMENT AND WAIVERS

7. Respondent has carefully read and understands the charges and allegations in the administrative allegation of violation associated with Case No. BL C20160510-02. Respondent has also carefully read and understands the effects of this Stipulated Surrender.

8. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the administrative allegation of violation developed in the Bureau of Real Estate Appraisers Case No. BL C20160510-02; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and 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. 044665.

5 11. Respondent agrees that his Real Estate Appraiser License No. 044665 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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1 15. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Bureau Chief may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Respondent's Real Estate Appraisers License No. 044665
6 is surrendered and accepted by the Chief of the Bureau of Real Estate Appraisers.

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

9 2. Surrender of Respondent's license shall be considered a disciplinary action and shall
10 become a part of Respondent's license history with the Bureau.

11 3. Respondent may petition for reinstatement of his license no sooner than one year
12 from the effective date of the Decision and Order. If Respondent petitions for reinstatement, the
13 Chief shall treat it as a new application for licensure and Respondent must comply with all the
14 laws, regulations and procedures for licensure in effect at the time the petition is filed. If
15 Respondent does petition to reinstate his license, he must pay a fine of Ten Thousand Dollars
16 (\$10,000.00) before a license can be issued.

17 **ACCEPTANCE**

18 I have carefully read the above Stipulated Surrender. I understand the stipulation and the
19 effect it will have on my Real Estate Appraiser License. I enter into this Stipulated Surrender
20 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
21 Bureau Chief.

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23 DATED: 6/13/16

Original Signed

James Stevens
Respondent

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ENDORSEMENT

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

Original Signed

Dated: 6/16/16

Elizabeth Seaters
Chief of Enforcement

Exhibit A

Administrative Allegation of Violation - Case No. BL C20160510-02

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Between about January 2007 and June 2014, Respondent participated in a scheme to promote and sell fraudulent high-yield investment products involving real estate development projects in Sonora, Mexico. During the course of this fraudulent scheme, dozens of investors were defrauded out of approximately \$8.2 million as a result of 11 investment offerings issued between May 1, 2007 and July 14, 2012. The investment offering documents provided to investors included private placement memorandums (PPMs). The PPMs misstated the background and experience of the principals, the ownership and value of the land at issue, and the secured nature of the investment. The PPMs also included false and inflated appraisals that Respondent prepared on all four lots of land. They also included appraisal reports, which misstated or omitted Respondent's own interest in the appraised property and that contained other material misrepresentations and omissions.

On or about April 25, 2016, Respondent pled guilty to conspiracy to commit wire fraud a class D felony in violation of 18 U.S.C. section 371.