

**FILED**

**NOV 09 2021**

**DEPARTMENT OF REAL ESTATE**

By           *BJ dsw*          

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 137007  
3 Sacramento, CA 95813-7007  
4 Telephone: (916) 576-8700  
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8

9 **BEFORE THE DEPARTMENT OF REAL ESTATE**  
10 **STATE OF CALIFORNIA**

11 \* \* \*

11 In the Matter of the Accusation of ) No. H-3364 FR  
12 )  
12 THE TEAM REALTY, INC. and ) STIPULATION AND AGREEMENT  
13 CRISTEN RAZZARI FAZAL, ) IN SETTLEMENT AND ORDER  
14 )  
14 Respondents. )  
15 )

16 It is hereby stipulated by and between THE TEAM REALTY, INC. (TTR) and  
17 CRISTEN RAZZARI FAZAL (FAZAL), collectively Respondents, and the Complainant, acting  
18 by and through Megan Lee Olsen, Counsel for the Department of Real Estate (Department); as  
19 follows for the purpose of settling and disposing of the Accusation filed on May 12, 2021, in this  
20 matter:

21 1. All issues which were to be contested and all evidence which was to be  
22 presented by Complainant and Respondents at a formal hearing on the Accusation, which hearing  
23 was to be held in accordance with the provisions of the Administrative Procedure Act (APA),  
24 shall instead and in place thereof be submitted solely on the basis of the provisions of this  
25 Stipulation and Agreement In Settlement and Order (Stipulation).

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

4                   3.       Respondents filed a Notice of Defense pursuant to Section 11505 of the  
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
6 Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents  
7 acknowledges and understands that by withdrawing said Notice of Defense they will thereby  
8 waive their right to require the Real Estate Commissioner (Commissioner) to prove the  
9 allegations in the Accusation at a contested hearing held in accordance with the provisions of the  
10 APA and that they will waive other rights afforded to them in connection with the hearing such  
11 as the right to present evidence in defense of the allegations in the Accusation and the right to  
12 cross-examine witnesses.

13                   4.       This Stipulation is based on the factual allegations contained in the  
14 Accusation. In the interest of expediency and economy, Respondents choose not to contest these  
15 factual allegations, but to remain silent and understands that, as a result thereof, these factual  
16 statements will serves as a prima facie basis for the "Determination of Issues" and "Order" set  
17 forth below. The Commissioner shall not be required to provide further evidence to prove such  
18 allegations.

19                   5.       It is understood by the parties that the Commissioner may adopt the  
20 Stipulation as his Decision and Order in this matter, thereby imposing the penalty and sanctions  
21 on Respondents' real estate licenses and license rights as set forth in the below "Order". In the  
22 event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and  
23 of no effect, and Respondents shall retain the rights to a hearing and proceeding on the  
24 Accusation under all the provisions of the APA and shall not be bound by any admission or  
25 waiver made herein.

26                   6.       This Decision and Order or any subsequent Order of the Commissioner  
27 made pursuant to this Stipulation shall not constitute an estoppel, merger, or bar to any further

1 administrative or civil proceedings by the Department with respect to any matters which were not  
2 specifically alleged to be causes for Accusation in this proceeding.

3 7. Respondents understand that by agreeing to this Stipulation, Respondents  
4 agrees to pay, pursuant to Section 10148 of the Business and Professions Code (Code), the cost  
5 of the audit which resulted in the violations found in the Determination of Issues. The amount of  
6 such costs is \$6,650.75.

7 8. Respondents further understand that by agreeing to this Stipulation, the  
8 findings set forth below in the "Determination of Issues" become final, and that the  
9 Commissioner may charge said Respondents for the costs of any audit conducted pursuant to  
10 Section 10148 of the Code to determine if the violations have been corrected. The maximum  
11 cost of said audit shall not exceed \$8,313.44.

12 DETERMINATION OF ISSUES

13 THE TEAM REALTY, INC. and CRISTEN RAZZARI FAZAL

14 By reason of the foregoing stipulations, admissions and waivers, and solely for  
15 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed  
16 that the acts and/or omissions of Respondents, as described in the Accusation, constitute grounds  
17 for the suspension or revocation of the licenses and license rights of Respondents under the  
18 provisions of Sections 10177(d) and 10177 (g) of the Code, in conjunction with Sections 10145,  
19 10161.8, and 10176 (e) of the Code, and Sections 2752, 2830.1, 2832, 2832.1, 2834, and 2835 of  
20 Title 10 of the California Code of Regulations (Regulations).

21 CRISTEN RAZZARI FAZAL

22 By reason of the foregoing stipulations, admissions and waivers, and solely for  
23 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed  
24 that the acts and/or omissions of Respondent FAZAL, as described in the Accusation, constitute  
25 grounds for the suspension or revocation of the licenses and license rights of Respondents under  
26 the provisions of Sections 10177(d), 10177 (g) and 10177 (h) of the Code, in conjunction with  
27 Section 10159.2 of the Code, and Section 2725 of the Regulations.

1 ORDER

2 THE TEAM REALTY, INC.

3 All licenses and licensing rights of THE TEAM REALTY, INC., under the Real  
4 Estate Law are suspended for a period of sixty (60) days from the effective date of this Order;  
5 provided, however, that:

6 1. Thirty (30) days of said suspension shall be stayed, upon the condition that  
7 TTRI petition pursuant to Section 10175.2 of the Code and pays a monetary penalty pursuant to  
8 Section 10175.2 of the Code at a rate of \$50 for each day of the suspension for a total monetary  
9 penalty of \$1,500.

10 (a) Said payment shall be in the form of a cashier's check made payable  
11 to the Department of Real Estate. Said check must be delivered to the Department of Real  
12 Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective  
13 date of this Order.

14 (b) No further cause for disciplinary action against the real estate licenses  
15 of TTR occurs within two (2) years from the effective date of the decision in this matter.

16 (c) If TTR fails to pay the monetary penalty as provided above prior to  
17 the effective date of this Order, the stay of the suspension shall be vacated as to TTR and the  
18 order of suspension shall be immediately executed, under this Order, in which event that TTR  
19 shall not be entitled to any repayment nor credit, prorated or otherwise, for the money paid to the  
20 Department under the terms of this Order.

21 (d) If TTR pays the monetary penalty and any other moneys due under  
22 this Stipulation and if no further cause for disciplinary action against the real estate license of  
23 said TTR occurs within two (2) years from the effective date of this Order, the entire stay hereby  
24 granted in this Order, as to TTR only, shall become permanent.

25 2. Thirty (30) days of said suspension shall be stayed for two (2) years upon  
26 the following terms and conditions:

27 ///

1 (a) TTR shall obey all laws, rules and regulations governing the rights,  
2 duties and responsibilities of a real estate licensee in the State of California; and,

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

9 CRISTEN RAZZARI FAZAL

10 All licenses and licensing rights of CRISTEN RAZZARI FAZAL, under the Real  
11 Estate Law are suspended for a period of sixty (60) days from the effective date of this Order;  
12 provided, however, that:

13 3. Thirty (30) days of said suspension shall be stayed, upon the condition that  
14 FAZAL petition pursuant to Section 10175.2 of the Code and pays a monetary penalty pursuant  
15 to Section 10175.2 of the Code at a rate of \$50 for each day of the suspension for a total  
16 monetary penalty of \$1,500.

17 (a) Said payment shall be in the form of a cashier's check made payable to the  
18 Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag  
19 Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this  
20 Order.

21 (b) No further cause for disciplinary action against the real estate licenses  
22 of FAZAL occurs within two (2) years from the effective date of the decision in this matter.

23 (c) If FAZAL fails to pay the monetary penalty as provided above prior to  
24 the effective date of this Order, the stay of the suspension shall be vacated as to FAZAL and the  
25 order of suspension shall be immediately executed, under this Order, in which event that FAZAL  
26 shall not be entitled to any repayment nor credit, prorated or otherwise, for the money paid to the  
27 Department under the terms of this Order.

1 (d) If FAZAL pays the monetary penalty and any other moneys due under  
2 this Stipulation and if no further cause for disciplinary action against the real estate license of  
3 said FAZAL occurs within two (2) years from the effective date of this Order, the entire stay  
4 hereby granted in this Order, as to FAZAL only, shall become permanent.

5 4. Thirty (30) days of said suspension shall be stayed for two (2) years upon  
6 the following terms and conditions:

7 (a) FAZAL shall obey all laws, rules and regulations governing the  
8 rights, duties and responsibilities of a real estate licensee in the State of California; and,

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

15 5. FAZAL shall, within nine (9) months from the effective date of this  
16 Stipulation, present evidence satisfactory to the Commissioner that FAZAL has, since the most  
17 recent issuance of an original or renewal real estate license, taken and successfully completed the  
18 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal  
19 of a real estate license. If FAZAL fails to satisfy this condition, FAZAL's real estate license shall  
20 automatically be suspended until FAZAL presents evidence satisfactory to the Commissioner of  
21 having taken and successfully completed the continuing education requirements. Proof of  
22 completion of the continuing education courses must be delivered to the Department of Real  
23 Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013.

24 6. All licenses and licensing rights FAZAL are indefinitely suspended  
25 unless or until FAZAL provides proof satisfactory to the Commissioner, of having taken and  
26 successfully completed the continuing education course on trust fund accounting and handling  
27 specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Code. Proof of

1 satisfaction of these requirements includes evidence that FAZAL has successfully completed the  
2 trust fund account and handling continuing education courses, no earlier than 120 days prior to  
3 the effective date of the Decision and Order in this matter. Proof of completion of the trust fund  
4 accounting and handling course must be delivered to the Department of Real Estate, Flag Section  
5 at P.O. Box 137013, Sacramento, CA 95813-7013 or by fax at 916-263-8758, prior to the  
6 effective date of this Decision and Order.

7 THE TEAM REALTY, INC. and CRISTEN RAZZARI FAZAL

8 7. Pursuant to Section 10148 of the Code, Respondents shall, jointly and  
9 severally, pay the sum of \$6,650.75 for the Commissioner's cost of the audit which led to this  
10 disciplinary action. Respondents shall pay such cost within sixty (60) days of receiving an  
11 invoice therefore from the Commissioner. Payment of audit costs should not be made until  
12 Respondents receive the invoice. If Respondent fails to satisfy this condition in a timely manner  
13 as provided for herein, Respondents' real estate licenses shall automatically be suspended until  
14 payment is made in full, or until a decision providing otherwise is adopted following a hearing  
15 held pursuant to this condition.

16 8. Pursuant to Section 10148 of the Code, Respondents shall, jointly and  
17 severally, shall pay the Commissioner's reasonable cost, not to exceed \$8,313.44 for an audit to  
18 determine if Respondents have corrected the violation) found in the "Determination of Issues".  
19 In calculating the amount of the Commissioner's reasonable cost, the Commissioner may use the  
20 estimated average hourly salary for all persons performing audits of real estate brokers, and shall  
21 include an allocation for travel time to and from the auditor's place of work. Respondents shall  
22 pay such cost within sixty (60) days of receiving an invoice therefore from the Commissioner.  
23 Payment of the audit costs should not be made until Respondents receive the invoice. If  
24 Respondents fails to satisfy this condition in a timely manner as provided for herein,  
25 Respondents' real estate licenses shall automatically be suspended until payment is made in full,  
26 or until a decision providing otherwise is adopted following a hearing held pursuant to this  
27 condition.

1                   9. All licenses and licensing rights of Respondents are indefinitely suspended  
2 unless or until Respondents, jointly and severally, pay the sum of \$2,769.05 for the  
3 Commissioner's reasonable cost of the investigation which led to this disciplinary action. Said  
4 payment shall be in the form of a cashier's check made payable to the Department of Real Estate,  
5 Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this  
6 Stipulation.

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8                   9/27/21

9                   DATED

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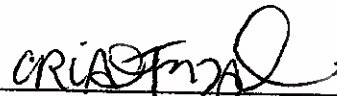
11                   MEGAN LEE OLSEN, Counsel  
12                   DEPARTMENT OF REAL ESTATE

13                   \* \* \*

14                   I have read the Stipulation and Agreement in Settlement and Order and its terms  
15 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
16 rights given to me by the California Administrative Procedure Act (including but not limited  
17 to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly,  
18 intelligently, and voluntarily waive those rights, including the right of requiring the  
19 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
20 right to cross-examine witnesses against me and to present evidence in defense and mitigation  
21 of the charges. I further agree to mail the original Stipulation no later than five days after  
22 signing it to: Department of Real Estate, Legal Section, P.O. Box 137007, Sacramento,  
23 California 95813-7007. I understand that failure to mail the original back may result in this  
24 matter going to hearing.

25                   9-9-21

26                   DATED

27                   


THE TEAM REALTY, INC.  
Respondent  
By: CRISTEN RAZZARI FAZAL  
Designated Officer



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9-9-21

DATED



CRISTEN RAZZARI FAZAL

Respondent

The foregoing Stipulation and Agreement In Settlement and Order is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on NOV 30 2021

IT IS SO ORDERED

11.3.21

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

