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DEPT. OF REAL ESTATE .

BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

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In the Matter of the Accusation of)	No. H-41909 LA
ALAN ROGERS STONEMAN and ALICIA MAI ROCCISANO,)	
Respondents.)	

ORDER NUNC PRO TUNC

It having been called to the attention of the Real Estate Commissioner that there is an error in the Order dated July 8, 2022, effective August 10, 2021, and good cause appearing therefor, the Order is amended as follows:

The effective date of August 10, 2021, shall be deleted and in its place the following effective date is substituted: August 10, 2022.

This Order, nunc pro tunc to July 8, 2022, shall become effective immediately.

IT IS SO ORDERED 10.28.22

DOUGLAS R. McCAULEY REAL ESTATE COMMISSIONER

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JUL 2 2 2022

DEPT. OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

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In the Matter of the Accusation of) No. H-41909 LA
ALAN ROGERS STONEMAN and ALICIA MAI ROCCISANO,) STIPULATION AND AGREEMENT)
Respondents.)))

It is hereby stipulated by and between Respondent ALAN ROGERS STONEMAN and Respondent ALICIA MAI ROCCISANO and the Complainant, acting by and through Steve Chu, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on March 23, 2021, and the First Amended Accusation filed on May 20, 2021, ("Accusation") in this matter:

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

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3. On April 8, 2021, Respondent ALAN ROGERS STONEMAN filed a Notice of Defense and on April 14, 2021, Respondent ALICIA MAI ROCCISANO filed a Notice of Defense pursuant to section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense. Respondents acknowledge that Respondents understand that by withdrawing said Notices of Defense, Respondents will thereby waive Respondents' right to require the Real Estate Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondents will waive other rights afforded to Respondents in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

- 4. Respondents, pursuant to the limitations set forth below, hereby admit that the factual allegations in the Accusation filed in this proceeding are true and correct and the Commissioner shall not be required to provide further evidence to prove such allegations.
- 5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation as his Decision in this matter, thereby imposing the penalty and sanctions on Respondents' real estate licenses and license rights as set forth in the below Order. In the event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and of no effect, and Respondents shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any admission or waiver made herein.

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1 6. The Order or any subsequent Order of the Commissioner made pursuant 2 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or 3 civil proceedings by the Department with respect to any matters which were not specifically 4 alleged to be causes for the Accusation in this proceeding. 5 **DETERMINATION OF ISSUES** By reason of the foregoing stipulations, admissions, and waivers, and solely for 6 7 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and 8 agreed that the following Determination of Issues shall be made: 9 I. 10 The conduct, acts, and/or omissions of Respondent ALAN ROGERS 11 STONEMAN, as described in the Accusation, are in violation of California Business and 12 Professions Code ("Code") sections 10145, 10159.2, and 10159.5 and Title 10, Chapter 6, 13 California Code of Regulations ("Regulations") sections 2725, 2731, and 2832 and constitute 14 cause for the suspension or revocation of all real estate licenses, license endorsements, and 15 license rights of Respondent ALAN ROGERS STONEMAN under Code sections 10177(d), 10177(g), 10177(h), and 10177(k). 16 17 II. 18 The conduct, acts, and/or omissions of Respondent ALICIA MAI ROCCISANO, 19 as described in the Accusation, are in violation of Code section 10159.5 and Regulations section 2731, and constitute cause for the suspension or revocation of all real estate licenses, 20 license endorsements, and license rights of Respondent ALICIA MAI ROCCISANO under 21 22 Code sections 10177(d) and 10177(g). 23 /// 24 /// 25 /// 26 ///

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I.

All licenses and licensing rights of Respondent ALAN ROGERS STONEMAN under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions, and restrictions imposed under Section 10156.6 of the Code:

- 1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction, plea of guilty, or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.
- 2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or the conditions attaching to this restricted license.
- Respondent shall not be eligible to apply for the issuance of an 3. unrestricted real estate license, including designated officer or mortgage loan originator endorsement, nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the effective date of this Decision and Order. Respondent withdraws all pending license applications.

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1	4. All licenses and licensing rights of Respondent ALAN ROGERS
2	STONEMAN are indefinitely suspended unless or until Respondent ALAN ROGERS
3	STONEMAN pays, jointly and severally with Respondent ALICIA MAI ROCCISANO, the
4	sum of \$5,477.75 for the Commissioner's reasonable cost of the investigation and enforcement
5	which led to this disciplinary action. Said payment shall be in the form of a cashier's check
6	made payable to the Department of Real Estate. The investigative and enforcement costs must
7	be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
8	Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.
9	<u>II.</u>
10	Respondent ALICIA MAI ROCCISANO is publicly reproved.
11	2. Respondent ALICIA MAI ROCCISANO withdraws all pending license
12	applications.
13	3. All licenses and licensing rights of Respondent ALICIA MAI
14	ROCCISANO are indefinitely suspended unless or until Respondent ALICIA MAI
15	ROCCISANO pays, jointly and severally with Respondent ALAN ROGERS STONEMAN, the
16	sum of \$5,477.75 for the Commissioner's reasonable cost of the investigation and enforcement
17	which led to this disciplinary action. Said payment shall be in the form of a cashier's check
18	made payable to the Department of Real Estate. The investigative and enforcement costs must
19	be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
20	Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.
21	(-7-2-27
22	DATED: 6-2-2022 Steve Chu, Counsel
23	Department of Real Estate
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We have read the Stipulation and Agreement. We understand that we are waiving rights given to us by the California Administrative Procedure Act, (including but not limited to sections 11521 and 11523 of the Government Code), and we willingly, intelligently, and voluntarily waive those rights, including the right to seek reconsideration and the right to seek judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

We agree, acknowledge, and understand that we cannot rescind or amend this Stipulation and Agreement.

We can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement or a copy faxed to (213) 576-6917 by May 31, 2022; if not, this Stipulation and Agreement is invalid and void because the sum for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action will increase.

DATED: $\frac{5/24/22}{}$

ALAN ROGERS STON

Respondent

5/24/22

ALICIA MAI ROCCISANO Respondent

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We have read the Stipulation and Agreement. We understand that we are waiving rights given to us by the California Administrative Procedure Act, (including but not limited to sections 11521 and 11523 of the Government Code), and we willingly, intelligently, and voluntarily waive those rights, including the right to seek reconsideration and the right to seek judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

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DD	LLL	<i>,</i> .		

DATED: 5/18/22

ALAN ROGERS STONEMAN Respondent

ALICIA MAI ROCCISANO

Respondent

The foregoing Stipulation and Agreement is hereby adopted by me as my Decision in this matter as to Respondent ALAN ROGERS STONEMAN and Respondent ALICIA MAI ROCCISANO, and shall become effective at 12 o'clock noon on 31012021.

IT IS SO ORDERED 7, 8.22

DOUGLAS R. McCAULEY REAL ESTATE COMMISSIONER

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