Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982

FILED

FEB 24 2012

DEPARTMENT OF REAL ESTATE
BY: [signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of JASON MARTIN GAILLIOT, Respondent.	NO. H-37309 LA L-2011061448 STIPULATION AND AGREEMENT

It is hereby stipulated by and between JASON MARTIN GAILLIOT, (sometimes referred to as "Respondent"), and Respondent's attorney, Thomas Chapin, Esq., and the Complainant, acting by and through Cheryl D. Keily, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on May 31, 2011, in this matter.

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent 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.

2. Respondent has received, read and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate ("Department") in this proceeding.

3. On June 13, 2011, Respondent 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. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of Defense he will thereby waive his right to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that he will waive other rights afforded to him 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. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation and Agreement as his decision in this matter, thereby imposing the penalty and sanctions on Respondent's 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 and Agreement, it shall be void and of no effect, and Respondent 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.

5. This Stipulation is based on the factual allegations contained in the Accusation. In the interest of expedience and economy, Respondent chooses not to contest these allegations, but to remain silent and understand that, as a result thereof, these factual allegations, without being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to provide further evidence to prove said factual allegations.

6. This Stipulation and Respondent's decision not to contest the Accusation are made for the purpose of reaching an agreed disposition of this proceeding, and are expressly limited to this proceeding and any other proceeding or case in which the Department of Real Estate, or another licensing agency of this state, another state or the federal government is involved and otherwise shall not be admissible in any other criminal or civil proceedings.

7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department of Real Estate with respect to any matters which were not

specifically alleged to be causes for accusation in this proceeding.

DETERMINATION OF ISSUES

By reason of the foregoing stipulations, admissions and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

The conduct of Respondent, as described in the Accusation, is grounds for the suspension or revocation of all of the real estate licenses and license rights of Respondent under the provisions of Sections 10130 and 10177(g) of the Business and Professions Code.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

ALL licenses and licensing rights of Respondent JASON MARTIN GAILLIOT, under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson 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 90 days from the effective date of this Decision.

I. 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 conditions, limitations and restrictions imposed under the authority of Section 10156.6 of the Code:

1. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate salesperson licensee.

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the Real Estate law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

3. Respondent shall not be eligible to apply for issuance of an unrestricted real estate sales license 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.

4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker, on a form approved by the Department, which shall certify:

(a) That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and

(b) That the employing broker will exercise close supervision over the performance by the restricted licensee

relating to activities for which a real estate salesperson license is required.

II. Respondent shall, within nine (9) months from the effective date of this Decision, present evidence satisfactory to the Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate salesperson license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate salesperson license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the APA to present such evidence.

III. If and when a petition application is made for reinstatement of a real estate license, the Real Estate Commissioner will consider as one of the criteria of rehabilitation whether or not restitution has been made to any person who has suffered monetary losses as a result of the allegations set forth in the Accusation filed in this case.

DATED: 8/9/12

CHERYL D. KEILY, Counsel
DEPARTMENT OF REAL ESTATE

* * *

I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to

me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of its signature page, as actually signed by Respondent, to the Department at the following telephone/fax number (213) 576-6917. Respondent agrees, acknowledges, and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 2-8-12

JASON MARTIN GAILLIOT
Respondent

I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

DATED: 2/8/12

Thomas Chapin, Esq.
Attorney for Respondent
JASON MARTIN GAILLIOT

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on MAR 15 2012, 2012.

IT IS SO ORDERED 2/17, 2012.

BARBARA J. BIGBY
Acting Real Estate Commissioner

CHERYL D. KEILY SBN 94008
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
Direct: (213) 576-6905

FILED

MAY 3 1 2011

DEPARTMENT OF REAL ESTATE
BY: _____

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of JASON MARTIN GAILLIOT, Respondent.	No. H-37309 LA A C C U S A T I O N

The Complainant, Joseph Aiu, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against JASON MARTIN GAILLIOT ("Respondent") is informed and alleges as follows:

1.

The Complainant, Joseph Aiu, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

2.

Respondent is presently licensed and/or has license rights under the Real Estate Law as a real estate salesperson.

3.

At all times herein mentioned, Respondent engaged in the business of, acted in the capacity of, or advertised a loan modification service and advance fee brokerage offering to perform and performing loan modification and negotiation services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees often collected in advance as well as at the conclusion of the transaction, including but not limited to the activities described below.

a. On or about June 20, 2008, Jorge A. paid an advance fee of $1,000 to GAILLIOT doing business as Mogul Group Inc. for the purpose of obtaining mortgage loan modification services with respect to a loan secured by the real property.

5.

The activities described in Paragraph 4, above, require a real estate broker license under Sections 10131(d) and 10131.2 of the Code.

6.

Respondent performed and/or participated in loan modification, solicitation, and negotiation activities which require a real estate broker license under the provisions of Code Sections 10131(d) and 10131.2 when Respondent was not licensed by the Department as a real estate broker nor employed as a real estate salesperson by the broker on whose behalf the activities were performed in violation of Section 10130 of the Code.

The conduct, acts and/or omissions of Respondent, as set forth, above, violate Code Section 10130, and are cause for the suspension or revocation of the licenses and license rights of Respondent pursuant to Code Sections 10177(d), 10177(g) and/or 10177(j).

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent JASON MARTIN GAILLIOT under the Real Estate Law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California
this 13 day of May, 2011.

Joseph Aiu
Deputy Real Estate Commissioner

cc: JASON MARTIN GAILLIOT
Aguilar Investments Inc.
New Century Real Estate Inc.
Joseph Aiu
Sacto.