

FILED

MAR 20 2025

DEPARTMENT OF REAL ESTATE

By B. dew

1 Department of Real Estate
651 Bannan Street, Suite 507
2 Sacramento, CA 95811

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4 Fax: (916) 263-3767
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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 THOMAS RAYMOND DE BEY,

13 Respondent.

) No. H-3516 FR

) STIPULATION AND AGREEMENT
) IN SETTLEMENT AND ORDER

14
15 It is hereby stipulated by and between THOMAS RAYMOND DE BEY
16 (Respondent), represented by Alex Sawchak, The Law Office of Frank M. Buda, and the
17 Complainant, acting by and through, Megan Lee Olsen, Counsel for the Department of Real
18 Estate (Department), as follows for the purpose of settling and disposing of the Accusation
19 filed on January 29, 2024, in this matter:

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

25 2. Respondent has received, read, and understands the Statement to
26 Respondent, the Discovery Provisions of the APA and the Accusation filed by the
27 Department in this proceeding.

1 3. Respondent filed a Notice of Defense pursuant to Section 11505 of the
2 Government Code for the purpose of requesting a hearing on the allegations in the
3 Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
4 Respondent acknowledges that Respondent will thereby waive Respondent's right to require
5 the Real Estate Commissioner (Commissioner) to prove the allegations in the Accusation at a
6 contested hearing held in accordance with the provisions of the APA and that Respondent
7 will waive other rights afforded to Respondent in connection with the hearing such as the
8 right to present evidence in defense of the allegations in the Accusation and the right to
9 cross-examine witnesses.

10 4. This Order is based on the factual allegations contained in the
11 Accusation. In the interest of expediency and economy, Respondent chooses not to contest
12 these factual allegations, but to remain silent and understand that, as a result thereof, these
13 factual statements will serve as a prima facie basis for the "Determination of Issues" and
14 "Order" set forth below. The Commissioner shall not be required to provide further evidence
15 to prove such allegations.

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

23 6. This Decision and Order or any subsequent Order of the Commissioner
24 made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or
25 bar to any further administrative or civil proceedings by the Department with respect to any
26 matters which were not specifically alleged to be causes for accusation in this proceeding.

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1 7. Respondent understands that by agreeing to this Order, Respondent
2 agrees to pay, pursuant to Section 10106 of the Business and Professions Code (Code), the
3 cost of the investigation which resulted in the determination that Respondent committed the
4 violations found in the Determination of Issues. The amount of said costs is \$1,731.60.

5 DETERMINATION OF ISSUES

6 By reason of the foregoing stipulations, admissions, and waivers and solely for
7 the purpose of settlement of the pending Accusation without hearing, it is stipulated and
8 agreed that the acts and/or omissions of Respondent as described in the Accusation violate
9 Sections 490, 10177 (b), 10177 (d), and 10186.2 (b) of the Code, in conjunction with
10 Sections 10186.2 (a)(1)(B) and 10186.2 (a)(2) of the Code.

11 ORDER

12 All licenses and licensing rights of THOMAS RAYMOND DE BEY under the
13 Real Estate Law are revoked; provided, however, a restricted real estate salesperson license
14 shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes
15 application therefore and pays to the Department the appropriate fee for the restricted license
16 within 90 days from the effective date of this Decision and Order. The restricted license
17 issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code
18 and to the following limitations, conditions and restrictions imposed under authority of
19 Section 10156.6 of that Code:

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

24 2. The restricted salesperson license issued to Respondent may be
25 suspended prior to hearing by Order of the Commissioner on evidence satisfactory to the
26 Commissioner that Respondent has violated provisions of the California Real Estate Law,

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1 the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions
2 attaching to the restricted license.

3 3. Respondent shall not be eligible to apply for the issuance of an
4 unrestricted real estate license nor for removal of any of the conditions, limitations or
5 restrictions of a restricted license until two (2) years have elapsed from the effective date of
6 this Decision and Order.

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

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

13 (b) That the employing broker will exercise close supervision over the
14 performance by the restricted licensee relating to activities for which
15 a real estate license is required.

16 5. Respondent shall, within nine (9) months from the effective date of this
17 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
18 since the most recent issuance of an original or renewal real estate license, taken and
19 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of
20 the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this
21 condition, Respondent's real estate license shall automatically be suspended until
22 Respondent presents evidence satisfactory to the Commissioner of having taken and
23 successfully completed the continuing education requirement.

24 6. Respondent shall notify the Commissioner in writing within seventy-
25 two (72) hours of any arrest by sending a certified letter to the Commissioner at the
26 Department of Real Estate, 651 Bannon Street, Suite 504, Sacramento, CA 95811. The letter
27 shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested

1 and the name and address of the arresting law enforcement agency. Respondent's failure to
2 timely file written notice shall constitute an independent violation of the terms of the
3 restricted license and shall be grounds for the suspension or revocation of that license.

4 7. Respondent shall pay \$1,731.60 to the Department for the costs of
5 investigation of this matter. Respondent's failure to pay the Department shall constitute an
6 independent violation of the terms of the restricted license and shall be grounds for the
7 immediate suspension or revocation of that license. Said payment shall be in the form of a
8 cashier's check or certified check made payable to the Real Estate Fund. Said check must be
9 received by the Department prior to the effective date of the order in this matter at the
10 following address: Department of Real Estate, 651 Bannon Street, Suite 504, Sacramento,
11 CA 95811.

12
13 11/24/2025

14 DATED

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16 

17 MEGAN LEE OLSEN, Counsel
18 DEPARTMENT OF REAL ESTATE

19 * * *

20 I have read the Stipulation and Agreement, discussed it with my counsel, and
21 its terms are understood by me and are agreeable and acceptable to me. I understand that I
22 am waiving rights given to me by the APA (including but not limited to Sections 11506,
23 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and
24 voluntarily waive those rights, including the right of requiring the Commissioner to prove
25 the allegations in the Accusation at a hearing at which I would have the right to cross-
26 examine witnesses against me and to present evidence in defense and mitigation of the
27 charges.

 Respondent and Respondent's attorney further agree to send the original
signed Stipulation by mail to the following address no later than one (1) week from the
date the Stipulation is signed by Respondent and Respondent's attorney: *Department of*

1 Real Estate, Legal Section, 651 Bannon Street, Suite 507, Sacramento, CA 95811.

2 Respondent and Respondent's attorney understand and agree that if they fail to return the
3 original signed Stipulation by the due date, Complainant retains the right to set this matter
4 for hearing.

5 1/22/2025
6 DATED

7 THOMAS RAYMOND DE BEY
8 Respondent

9 * * *

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

12
13 1/24/2025
14 DATED

15 ALEX SAWCHAK
16 The Law Office of Frank M. Buda
17 Attorney for Respondent

18 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
19 Commissioner as her Decision and Order and shall become effective at 12 o'clock noon on
20 **APR 10 2025**

21 IT IS SO ORDERED 3/10/2025

22 CHIKA SUNQUIST
23 REAL ESTATE COMMISSIONER

24 Marcus L. McCarther
25 By: Marcus L. McCarther
26 Chief Deputy Real Estate Commissioner
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