

1 Department of Real Estate
2 651 Bannon Street, Ste 507,
3 Sacramento, CA 95811

4 Telephone: (916) 576-8700

FILED

NOV 20 2025

DEPARTMENT OF REAL ESTATE
By B. Nicholas

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12
13 In the Matter of) No. H-3626 FR
14)
14 NICOLE GILLINGHAM MYHRSTAD,) STIPULATION AND AGREEMENT
15) IN SETTLEMENT AND ORDER
15 Respondent.)
16 _____) (B & P § 10100.4)

17 NICOLE GILLINGHAM MYHRSTAD (“Respondent”) is presently licensed
18 and/or has license rights under the Real Estate Law, Part 1, of Division 4, of the California
19 Business and Professions Code (“Code”) as a real estate broker. Respondent’s real estate broker
20 license number is 02052054.

21 Respondent has been informed by the Department of Real Estate (“Department”)
22 that Respondent is the subject of an investigation of possible violations of the Real Estate Law,
23 Sections 10000 et seq., of the Code, and Regulations of the Real Estate Commissioner, Title 10,
24 Chapter 6, of the California Code of Regulations, which could result in the filing of an
25 Accusation to revoke or suspend Respondent’s real estate license. Pursuant to Code Section
26 10100.4, it is hereby stipulated by and between Respondent NICOLE GILLINGHAM
27 MYHRSTAD, in pro per, and the Department, acting by and through Jessica Cheong, Counsel

STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

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1 for the Department, to enter into this Stipulation and Agreement (“Stipulation”) as follows:

2 1. Respondent acknowledges that by entering into this Stipulation, Respondent is
3 stipulating that the Real Estate Commissioner (“Commissioner”) has found grounds to file an
4 Accusation to revoke or suspend Respondent’s real estate license and license rights based on the
5 following:

6 a. Pursuant to Sections 490 (conviction of substantially related crime) and
7 10177(b) (conviction of substantially related crime) of the Code, based on Respondent’s June 18,
8 2024 conviction for violation of Section 23153(b) (dui alcohol while causing injury) of the
9 Vehicle Code, a felony, in the Superior Court of California, County of Santa Cruz, Case No.
10 23CR00741.

11 b. Pursuant to Sections 490 (conviction of substantially related crime) and
12 10177(b) (conviction of substantially related crime) of the Code, based on Respondent’s October
13 31, 2024 conviction for violation of Fla. Sta. Section 856.011 (disorderly intoxication), a
14 misdemeanor, in the County Court of Miami-Dade County, Florida, Case No. M24012962.

15 c. Pursuant to Section 10186.2 (reporting requirements) of the Code based
16 on Respondent’s failure to report the said felony criminal complaint, information, indictment or
17 convictions to the Department within 30 days of the indictment, charging of the felony, or the
18 convictions.

19 2. All issues which were to be contested and all evidence which was to be
20 presented by the Department and Respondent at a formal hearing on an Accusation, and hearing
21 held in accordance with the provisions of the Administrative Procedure Act (“APA”), shall
22 instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation.

23 3. Respondent understands that by signing of this Stipulation, provided this
24 Stipulation is accepted and signed by the Commissioner, the Commissioner will not file an
25 Accusation based on the grounds herein, and Respondent is waiving Respondent’s right to a
26 formal hearing and the opportunity to present evidence at the hearing to establish Respondent’s
27 rehabilitation in order to maintain an unrestricted real estate broker license.

1 revocation of all real estate licenses and license rights of Respondent NICOLE GILLINGHAM
2 MYHRSTAD under Sections 490 and 10177(b), and 10186.2 of the Code.

3 ORDER

4 All licenses and licensing rights of Respondent NICOLE GILLINGHAM
5 MYHRSTAD under the Real Estate Law are revoked; provided, however, a restricted real estate
6 broker license shall be issued to Respondent pursuant to Section 10156.5 of the Code, if
7 Respondent makes application therefor and pays to the Department the appropriate fee for the
8 restricted license within ninety (90) days from the effective date of this Decision. The restricted
9 license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the
10 Code and to the following limitations, conditions, and restrictions imposed under Section
11 10156.6 of the Code:

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

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

20 3. Respondent shall not be eligible to apply for the issuance of any unrestricted
21 real estate broker license nor for the removal of any of the conditions, limitations or restrictions
22 of a restricted broker license until **two (2) years** have elapsed from the effective date of the
23 Decision and Order. Respondent shall not be eligible to apply for any unrestricted licenses until
24 all restrictions attaching to the license have been removed.

25 4. Respondent shall, within nine (9) months from the effective date of this
26 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
27 since the most recent issuance of an original or renewal real estate license, taken and successfully

1 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
2 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
3 Respondent's real estate license shall automatically be suspended until Respondent presents
4 evidence satisfactory to the Commissioner of having taken and successfully completed the
5 continuing education requirement.

6 5. Respondent shall notify the Commissioner in writing within seventy-two (72)
7 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real
8 Estate, 651 Bannon Street, Ste 507, Sacramento, CA 95811. The letter shall set forth the date of
9 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
10 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
11 constitute an independent violation of the terms of the restricted license and shall be grounds for
12 the suspension or revocation of that license.

13 6. Respondent shall pay \$4,401.50 to the Department for the costs of
14 investigation and enforcement of this matter. Respondent's failure to pay the Department shall
15 constitute an independent violation of the terms of the restricted license and shall be grounds for
16 the immediate suspension or revocation of that license. Said payment shall be in the form of a
17 cashier's check or certified check made payable to the Real Estate Fund. Said check must be
18 received by the Department prior to the effective date of the order in this matter at the following
19 address: Department of Real Estate, 651 Bannon Street, Ste 507, Sacramento, CA 95811.

20
21 DATED: 9/24/2025


22 Jessica Cheong, Counsel
23 Department of Real Estate

24 * * *

25 Respondent has read this Stipulation, herein, and its terms are understood by
26 Respondent and are agreeable and acceptable to Respondent. Respondent understands that
27 Respondent is waiving rights given to Respondent by the California Administrative Procedure

1 Act (including, but not limited to, California Government Code sections 11504, 11506, 11508,
2 11509, and 11513), and Respondent willingly, intelligently, and voluntarily waives those rights,
3 including, but not limited to, the right to a hearing on an Accusation at which Respondent would
4 have the right to cross-examine witnesses against Respondent and to present evidence in defense
5 and mitigation of the charges.

6 Respondent agrees, acknowledges and understands that by signing this
7 Stipulation, Respondent is bound by its terms as of the date of such signature and that such
8 agreement is not subject to rescission or amendment at a later date except by a separate Decision
9 and Order of the Commissioner.

10 Respondent can signify acceptance and approval of the terms and conditions of
11 this Stipulation by sending a hard copy of the original signed signature page(s) of the Stipulation
12 herein to Jessica Cheong, Legal Section, Department of Real Estate, 651 Bannon Street,
13 Sacramento, California, 95811.

14 Alternatively, Respondent agrees to acceptance and approval of the terms and
15 conditions of this Stipulation by emailing a scanned copy of the signature page, as actually
16 signed by Respondent, to the Department counsel assigned to this case. Respondent agrees,
17 acknowledges and understands that by electronically sending the Department a scan of
18 Respondent's actual signature as it appears on the Stipulation that receipt of the scan by the
19 Department shall be binding on Respondent as if the Department had received the original signed
20 Stipulation.

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Date: 9/24/2025



NICOLE GILLINGHAM MYHRSTAD
Respondent

1 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
2 Commissioner as her Decision in this matter and shall become effective at 12 o'clock noon on
3 **DEC 11 2025**

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5 IT IS SO ORDERED

6 CHIKA SUNQUIST
7 REAL ESTATE COMMISSIONER
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10 By: MARCUS L. McCARTHER
11 Chief Deputy Real Estate Commissioner
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