

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013
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11 (213) 576-6982

FILED
JUN 03 2022
DEPT. OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

12 In the Matter of the Accusation of) No. H-05281 SD
13 JUSTINE ALEXANDRA SHAYMAN,) **STIPULATION AND AGREEMENT**
14 Respondent.) (B & P § 10100.4)
15

16 Respondent JUSTINE ALEXANDRA SHAYMAN (“Respondent”) is presently
17 licensed and/or have license rights under the Real Estate Law, Part 1, of Division 4, of the
18 California Business and Professions Code (“Code”) as a real estate salesperson. Respondent’s
19 real estate salesperson license number is 01878743.

20 Respondent has been informed by the Department of Real Estate that Respondent
21 is the subject of an investigation of possible violations of the Real Estate Law, Sections 10000 et
22 seq., of the Code, and Regulations of the Real Estate Commissioner, Title 10, Chapter 6, of the
23 California Code of Regulations, which could result in the filing of an Accusation to revoke or
24 suspend Respondent’s real estate license. Pursuant to Code Section 10100.4, it is hereby
25 stipulated by and between Respondent JUSTINE ALEXANDRA SHAYMAN, represented by
26 Frank M. Buda, and the Complainant, acting by and through Kathy Yi, Counsel for the
27 Department of Real Estate (“Department”), to enter into this Stipulation and Agreement

STIPULATION AND AGREEMENT

1 (“Stipulation”) as follows:

2 1. Respondent acknowledges that that by entering into this Stipulation,
3 Respondent is stipulating that the Real Estate Commissioner (“Commissioner”) has found
4 grounds to file an Accusation to revoke or suspend Respondent’s real estate license and license
5 rights pursuant to Section 10177(b) of the Code based on Respondent’s February 27, 2020
6 conviction for violation of California Penal Code section 273a(a) (child endangerment), a felony,
7 in the Superior Court of California, County of San Diego, Case No. SCN406515. On April 21,
8 2021, said conviction was reduced to a misdemeanor, pursuant to Penal Code section 17(b). On
9 April 15, 2022, said conviction was expunged pursuant to Penal Code section 1203.4.

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

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

19 4. Respondent understands that the Commissioner, in his discretion, will revoke
20 Respondent’s real estate salesperson license and licensing rights, and under the authority of Code
21 Section 10100.4, issue a restricted real estate salesperson license to Respondent pursuant to Code
22 Section 10156.5 if Respondent makes application therefore and pay to the Department of Real
23 Estate the appropriate fee for the restricted license within ninety (90) days of the effective date of
24 the below Decision and Order adopting this Stipulation. Respondent understands that any such
25 restricted license will be issued subject to the provisions and limitations of Code Sections
26 10156.6 and 10156.7.

27 5. Respondent understands that by agreeing to this Stipulation and Agreement,

1 Respondent agrees to pay, pursuant to Section 10106 of the Code, the cost of the investigation
2 and enforcement which resulted in the determination that the Commissioner has grounds to file
3 an Accusation to revoke or suspend Respondent's real estate license and license rights pursuant
4 to Code Section 10177(b). The total amount of said costs is \$1,575.05.

5 6. Respondent understands that the Commissioner will adopt this Stipulation as
6 his decision in this matter, imposing the penalty and sanctions on Respondent's real estate
7 licenses and license rights, as set forth in the Order below.

8 7. Respondent understands that the Order or any subsequent Order of the
9 Commissioner made pursuant to this Stipulation will not constitute an estoppel, merger, or bar to
10 any further administrative or civil proceedings by the Department with respect to any matters
11 which were not specifically alleged as grounds for discipline in this matter or known by the
12 Department.

13 DETERMINATION OF ISSUES

14 By reason of the foregoing stipulations, admissions, and waivers and solely for the
15 purpose of settling, without a hearing, the Department's investigation of Respondent's acts and
16 omissions, it is stipulated and agreed that the following Determination of Issues shall be made:

17 The conduct, acts, or omissions of Respondent JUSTINE ALEXANDRA
18 SHAYMAN, as described above in Respondent's February 27, 2020 conviction for violation of
19 California Penal Code section 273a(a) (child endangerment), a felony which was reduced to a
20 misdemeanor on April 21, 2021, constitute cause for the suspension or revocation of all real
21 estate licenses and license rights of Respondent JUSTINE ALEXANDRA SHAYMAN under
22 California Business and Professions Code ("Code") sections 490 and 10177(b).

23 ORDER

24 All license and licensing rights of Respondent JUSTINE ALEXANDRA
25 SHAYMAN under the Real Estate Law are revoked; provided, however, a restricted real estate
26 salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code if
27 Respondent makes application therefor and pays to the Department the appropriate fee for the

STIPULATION AND AGREEMENT

1 restricted license within ninety (90) days from the effective date of this Decision. The restricted
2 license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the
3 Code and to the following limitations, conditions, and restrictions imposed under Section
4 10156.6 of the Code:

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

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

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

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

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

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

27 5. Respondent shall, within nine (9) months from the effective date of this

1 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
2 since the most recent issuance of an original or renewal real estate license, taken and successfully
3 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
4 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
5 Commissioner may order the suspension of the restricted license until the Respondent presents
6 such evidence. The Commissioner shall afford Respondent the opportunity for a hearing
7 pursuant to the Administrative Procedure Act to present such evidence. Proof of completion of
8 the continuing education courses must be delivered to the Department of Real Estate, Flag
9 Section at P.O. Box 137013, Sacramento, CA 95813-7013.

10 6. Respondent shall notify the Commissioner in writing within seventy-two (72)
11 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real
12 Estate, Post Office Box 137013, Sacramento, CA 95813-7000. The letter shall set forth the date
13 of Respondent's arrest, the crime for which Respondent was arrested and the name and address
14 of the arresting law enforcement agency. Respondent's failure to timely file written notice shall
15 constitute an independent violation of the terms of the restricted license and shall be grounds for
16 the suspension or revocation of that license.


17 7. Pursuant to Section 10106 of the Code, Respondent shall, within six (6)
18 months from the effective date of this Decision and Order, pay the sum of \$1,575.05 for the
19 Commissioner's reasonable cost of the investigation and enforcement which resulted in the
20 determination that the Commissioner has grounds to file an Accusation to revoke or suspend
21 Respondent's real estate license. Said payment shall be in the form of a cashier's check or
22 certified check made payable to the Department of Real Estate. The investigative and
23 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
24 137013, Sacramento, CA 95813-7013, within six (6) months from the effective date of this
25 Decision and Order.

26 (a) The Commissioner shall suspend the license(s) of Respondent pending a
27 hearing held in accordance with Section 11500, et. seq., of the California

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Government Code, if payment is not timely made as provided for herein, or as provided for in a subsequent agreement between the Respondent and the Commissioner. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the APA to present such evidence that payment was timely made. The suspension shall remain in effect until payment is made in full or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

DATED: 05/10/2022



Kathy Yi, Counsel
Department of Real Estate

* * *

Respondent has read this Stipulation, herein, and its terms are understood by Respondent and are agreeable and acceptable to Respondent. Respondent understands that Respondent is waiving rights given to Respondent by the California Administrative Procedure Act (including, but not limited to, California Government Code sections 11504, 11506, 11508, 11509, and 11513), and Respondent willingly, intelligently, and voluntarily waives those rights, including, but not limited to, the right to a hearing on an Accusation at which Respondent would have the right to cross-examine witnesses against Respondent and to present evidence in defense and mitigation of the charges.

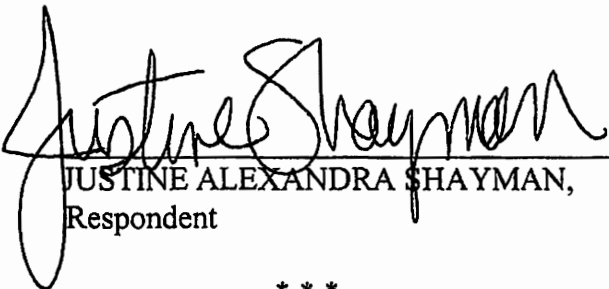
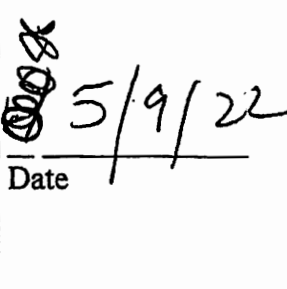
Respondent agrees, acknowledges and understands that by signing this Stipulation Respondent am bound by its terms as of the date of such signature and that such agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Commissioner.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by sending a hard copy of the original signed signature page(s) of the Stipulation herein to Kathy Yi, Legal Section, Department of Real Estate, 320 W. Fourth

1 Street, Suite 350, Los Angeles, California, 90013-1105.


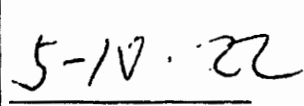
2 Alternatively, Respondent agrees to acceptance and approval of the terms and
3 conditions of this Stipulation and Agreement by emailing a scanned copy of the signature page,
4 as actually signed by Respondent, to the Department counsel assigned to this case.

5 Respondent agrees, acknowledges and understands that by electronically sending the Department
6 a scan of Respondent's actual signature as it appears on the Stipulation and Agreement that
7 receipt of the scan by the Department shall be binding on Respondent as if the Department had
8 received the original signed Stipulation and agreement.

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10  
11 Date 5/9/22 JUSTINE ALEXANDRA SHAYMAN,
12 Respondent

13 * * *

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

16  
17 Date 5-10-22 FRANK M. BUDA
18 Counsel for Respondent

19 * * *

20
21 I have read the foregoing Stipulation signed by Respondent JUSTINE
22 ALEXANDRA SHAYMAN. I am satisfied that the hearing for the purpose of requiring further
23 proof as to honesty and truthfulness of Respondent need not be called, and that it will not be
24 inimical to the public interest to issue a restricted real estate salesperson license to Respondent.

25 Therefore, IT IS HEREBY ORDERED that the real estate salesperson license of
26 Respondent JUSTINE ALEXANDRA SHAYMAN revoked and a restricted real estate
27 salesperson license be issued if Respondent has otherwise fulfilled all of the statutory

1 requirements for licensure. The restricted real estate salesperson license shall be limited,
2 conditioned, and restricted as specified in the foregoing Stipulation and Agreement.

3 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
4 this matter and shall become effective at 12 o'clock noon on JUL 05 2022.

5 IT IS SO ORDERED 5.27.22.

6 DOUGLAS R. McCAULEY
7 REAL ESTATE COMMISSIONER

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9 Douglas R. McCauley
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