

NOV - 7 2024

DEPT. OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

DRE No. H-05808 SD
OAH No. 2024080549

STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

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 ("Agreement").

STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

1 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
2 ("Department") in this proceeding.

3 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
4 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
5 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
6 acknowledges that Respondent understands that by withdrawing said Notice of Defense
7 Respondent thereby waives Respondent's right to require the Commissioner to prove the
8 allegations in the Accusation at a contested hearing held in accordance with the provisions of the
9 APA and that Respondent will waive other rights afforded to Respondent in connection with the
10 hearing such as the right to present evidence in his defense, and the right to cross-examine
11 witnesses.

12 4. Respondent hereby admits that the factual allegations of the Accusation filed
13 in this proceeding are true and correct and the Real Estate Commissioner shall not be required to
14 provide further evidence of such allegations.

15 5. This Agreement is made for the purpose of reaching an agreed disposition of
16 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
17 in which the Department, or another licensing agency of this state, another state, or the federal
18 government is involved, and otherwise shall not be admissible in any criminal or civil
19 proceeding.

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

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1 7. The Order or any subsequent Order of the Real Estate Commissioner made
2 pursuant to this Agreement shall not constitute an estoppel, merger or bar to any further
3 administrative or civil proceedings by the Department with respect to any matters which were
4 not specifically alleged to be causes for accusation in this proceeding.

5 DETERMINATION OF ISSUES

6 By reason of the foregoing, it is stipulated and agreed that the following
7 determination of issues shall be made:

8 The conduct, acts or omissions of Respondent NORMA LYSETTE GREEN, as
9 set forth in the Accusation, are in violation of California Business and Professions Code
10 ("Code") sections 10130, 10131(b), and 10137 and are a basis for discipline of Respondent's
11 licenses and licensing rights pursuant to Code section 10177(d).

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDER is hereby made:

14 I.

15 All licenses and licensing rights of Respondent NORMA LYSETTE GREEN
16 under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson
17 license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent
18 makes application therefor and pays to the Department the appropriate fee for the restricted
19 license within ninety (90) days from the effective date of this Decision and Order. The restricted
20 license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the
21 Code and to the following limitations, conditions and restrictions imposed under authority of
22 Section 10156.6 of that Code:

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

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

6 3. Respondent shall not be eligible to petition for the issuance of any unrestricted
7 real estate license nor for removal of any of the conditions, limitations or restrictions of a
8 restricted license until two (2) years have elapsed from the effective date of this Decision and
9 Order. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions
10 attaching to the license have been removed.

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

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

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

20 5. Respondent shall, within nine (9) months from the effective date of this
21 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
22 since the most recent issuance of an original or renewal real estate license, taken and successfully
23 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
24 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
25 Commissioner may order the suspension of the restricted license until the Respondent presents
26 such evidence. Proof of completion of the continuing education courses must be delivered to the
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1 Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA
2 95811.

3 II.

4 All licenses and licensing rights of Respondent are indefinitely suspended unless
5 or until Respondent pays the sum of \$3,168.10 for the Commissioner's reasonable costs of the
6 investigation (\$822.70) and enforcement (\$2,345.40), which led to this disciplinary action. Said
7 payment shall be in the form of a cashier's check made payable to the Department of Real Estate.
8 The investigative and enforcement costs must be delivered to the Department of Real Estate,
9 Flag Section, at 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date
10 of this Decision and Order.

11
12 DATED: 9/30/2024

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14 Judith A. Buranday, Counsel for
15 Department of Real Estate

16 EXECUTION OF THE STIPULATION

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

24 Respondent shall mail the original signed signature page of the stipulation herein
25 to Judith A. Buranday, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
26 Suite 350, Los Angeles, California 90013-1105.

27 In the event of time constraints before an administrative hearing, Respondent can
signify acceptance and approval of the terms and conditions of this Agreement by emailing a

1 scanned copy of the signature page, as actually signed by Respondent, to the Department counsel
2 assigned to this case. Respondent agrees, acknowledges, and understands that by electronically
3 sending the Department a scan of Respondent's actual signature as it appears on the Stipulation
4 and Agreement that receipt of the scan by the Department shall be binding on Respondent as if
5 the Department had received the original signed Agreement.

6 Respondent's signature below constitutes acceptance and approval of the terms and
7 conditions of this Agreement. Respondent agrees, acknowledges and understands that by signing
8 this Agreement, Respondent is bound by its terms as of the date of such signatures and that this
9 agreement is not subject to rescission or amendment at a later date except by a separate Decision
10 and Order of the Real Estate Commissioner.

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12 DATED: 9/30/2024


NORMA LYSETTE GREEN
Respondent

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14 DATED: 9-30-24


Robert E. Muir, Esq.
Counsel for Respondent
Approved as to Form

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17 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
18 Respondent NORMA LYSETTE GREEN and shall become effective at 12 o'clock noon on
19 NOV 27 2024.

20 IT IS SO ORDERED

10/29/2024
CHIKA SUNQUIST
REAL ESTATE COMMISSIONER

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