

1 BUREAU OF REAL ESTATE
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FILED

SEP 21 2017

BUREAU OF REAL ESTATE

By B. Nicholas

8
9 BEFORE THE BUREAU OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) BRE No. H-6434 SAC
13)
14 ADOBI VENTURES, INC., and)
15 JUSTIN JAMES DOBRINSKI,)
16)
17 Respondents.) STIPULATION AND AGREEMENT
18) IN SETTLEMENT AND ORDER

17 It is hereby stipulated by and between ADOBI VENTURES, INC. (AV), JUSTIN
18 JAMES DOBRINSKI (DOBRINSKI), collectively, Respondents, their attorney, Gordon W.
19 Egan, and the Complainant, acting by and through Richard K. Uno, Counsel for the Bureau of
20 Real Estate (Bureau); as follows for the purpose of settling and disposing of the Accusation filed
21 on September 2, 2016, in this matter:

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

27 2. Respondent has received, read, and understands the Statement to

1 Respondent, the Discovery Provisions of the APA and the Accusation filed by the Bureau of
2 Real Estate in this proceeding.

3 3. Respondent filed a Notice of Defense pursuant to Section 11505 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 he understands that by withdrawing said Notice of Defense he will thereby
7 waive his right to require the Real Estate Commissioner (Commissioner) to prove the allegations
8 in the Accusation at a contested hearing held in accordance with the provisions of the APA and
9 that he will waive other rights afforded to him in connection with the hearing such as the right to
10 present evidence in defense of the allegations in the Accusation and the right to cross-examine
11 witnesses.

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

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

25 6. The Order or any subsequent Order of the Commissioner made pursuant
26 to this Stipulation shall not constitute an estoppel, merger, or bar to any further administrative or
27 civil proceedings by the Bureau of Real Estate with respect to any matters which were not

specifically alleged to be causes for accusation in this proceeding.

7. Respondent understands that by agreeing to this Stipulation, Respondent agrees to pay, pursuant to Section 10106 of the Business and Professions Code (Code), the cost of the investigation and enforcement which resulted in the determination that Respondent committed the violations found in the Determination of Issues. The amount of said costs is \$4,975.20.

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 acts and/or omissions of Respondent, as described in the Accusation, constitute grounds for the suspension or revocation of the licenses and license rights of Respondent under the provisions of Sections 10177(d) of the Code.

ORDER

ADOBI VENTURES, INC.

All licenses and licensing rights of AV, under the Real Estate Law are revoked;
provided, however, a restricted real estate broker license shall be issued to AV, pursuant to
Section 10156.5 of the Code, if AV makes application therefore and pays to the Bureau of Real
Estate the appropriate fee for the restricted license within 90 days from the effective date of this
Stipulation. The restricted license issued to AV shall be subject to all of the provisions of
Section 10156.7 of the Code and to the following limitations, conditions, and restrictions
imposed under authority of Section 10156.6 of the Code:

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

2. AV shall not be eligible to apply for the issuance of any unrestricted real
estate license nor the removal of any of the conditions, limitations, or restrictions of a restricted

1 until two (2) years have elapsed from the effective date of this Stipulation. AV shall not be
2 eligible to apply for any unrestricted licenses until all restrictions attaching to the license have
3 been removed.

4 JUSTIN JAMES DOBRINSKI

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

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

16 2. The restricted license issued to DOBRINSKI may be suspended prior to
17 hearing by Order of the Commissioner on evidence satisfactory to the Commissioner that
18 DOBRINSKI 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. DOBRINSKI shall not be eligible to apply for the issuance of any
21 unrestricted real estate license nor the removal of any of the conditions, limitations, or
22 restrictions of a restricted until two (2) years have elapsed from the effective date of this
23 Stipulation. Respondent shall not be eligible to apply for any unrestricted licenses until all
24 restrictions attaching to the license have been removed.

25 4. DOBRINSKI shall, within nine (9) months from the effective date of this
26 Stipulation, present evidence satisfactory to the Commissioner that DOBRINSKI has, since the
27 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 DOBRINSKI fails to satisfy this condition,
3 DOBRINSKI's real estate license shall automatically be suspended until DOBRINSKI presents
4 evidence satisfactory to the Commissioner of having taken and successfully completed the
5 continuing education requirements. Proof of completion of the continuing education courses
6 must be delivered to the Bureau of Real Estate, Flag Section, at P.O. Box 137013, Sacramento,
7 CA 95813-7013.

8 ADOBI VENTURES, INC. AND JUSTIN JAMES DOBRINSKI

9 1. All licenses and licensing rights of AV and DOBRINSKI are indefinitely
10 suspended unless or until AV and DOBRINSKI, jointly and severally, pay the sum of \$4,975.20
11 for the Commissioner's reasonable cost of the investigation and enforcement which led to this
12 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
13 Bureau of Real Estate. The investigative and enforcement costs must be delivered to the Bureau
14 of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the
15 effective date of this Decision and Order.

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2 8/8/17

3 DATED

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6 RICHARD K. UNO, Counsel III
7 BUREAU OF REAL ESTATE

8 ***

9 I have read the Stipulation and Agreement in Settlement and Order and its
10 terms are understood by me and are agreeable and acceptable to me. I understand that I am
11 waiving rights given to me by the California Administrative Procedure Act (including but not
12 limited
13 to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly,
14 intelligently, and voluntarily waive those rights, including the right of requiring the
15 Commissioner to prove the allegations in the Accusation at a hearing at which I would have
16 the
17 right to cross-examine witnesses against me and to present evidence in defense and mitigation
18 of the charges.

19 ADOBI VENTURES, INC.

20
21 8/10/17

22 DATED

23 
24 BY: JUSTIN JAMES DOBRINSKI

25
26 8/10/17

27 DATED

28 
29 BY: JUSTIN JAMES DOBRINSKI

30 ***

31 I have reviewed this Stipulation and Agreement as to form and content and
32 have advised my client accordingly.

8-15-2017

DATED



Gordon W. Egan
Attorney for Respondents

The foregoing Stipulation and Agreement In Settlement and Order is hereby
adopted by the Real Estate Commissioner as his Decision and Order and shall become
effective at 12 o'clock noon on OCT 12 2017

IT IS SO ORDERED September 14, 2017.

WAYNE S. BELL
REAL ESTATE COMMISSIONER



By: DANIEL J. SANDRI
Chief Deputy Commissioner