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Bureau of Real Estate  
P.O. Box 137007  
Sacramento, CA 95818-7007  
  
Telephone: (916) 263-8672

**FILED**

AUG 28 2017

BUREAU OF REAL ESTATE  
By B. Nicholas

BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of  
  
JORDAN THOMAS YARBROUGH,  
  
Respondent.

No. H-6482 SAC  
  
STIPULATION AND AGREEMENT  
IN SETTLEMENT AND ORDER

It is hereby stipulated by and between JORDAN THOMAS YARBROUGH (Respondent), and the Complainant, acting by and through Megan Lee Olsen, Counsel for the Bureau of Real Estate (Bureau), as follows for the purpose of settling and disposing of the Accusation filed on April 7, 2017, in this matter:

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 In Settlement and Order (Order).

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

3. On or about April 27, 2017, Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing

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

8           4. This Order is based on the factual allegations contained in the  
9 Accusation. Respondent, pursuant to the limitations set forth below, hereby admits that the  
10 factual allegations in the Accusation filed in this proceeding are true and correct and the  
11 Commissioner shall not be required to provide further evidence to prove such allegations.

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

19           6. This Decision and Order or any subsequent Order of the Commissioner  
20 made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or  
21 bar to any further administrative or civil proceedings by the Bureau with respect to any  
22 matters which were not specifically alleged in Accusation H-6369 SAC.

23           7. Respondent understands that by agreeing to this Order, Respondent  
24 agrees to pay, pursuant to Section 10106 of the Business and Professions Code (Code), the  
25 cost of the investigation which resulted in the determination that Respondent committed the  
26 violations found in the Determination of Issues. The amount of said costs is \$5,015.29.

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1 DETERMINATION OF ISSUES

2 By reason of the foregoing stipulations, admissions, and waivers and solely for  
3 the purpose of settlement of the pending Accusation without hearing, it is stipulated and  
4 agreed that the following Determination of Issues shall be made:

5 I

6 The acts and/or omissions of Respondent as described in the Accusation  
7 violate Sections 10140, 10166.051 (b), 10177 (c), 10176 (a) and (i), 10177 (j) and (g) of the  
8 Code.

9 ORDER

10 All licenses and licensing rights of Respondent JORDAN THOMAS  
11 YARBROUGH under the Real Estate Law are revoked; provided, however, a restricted real  
12 estate broker license and restricted mortgage loan endorsement shall be issued to Respondent  
13 pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays  
14 to the Bureau the appropriate fee for the restricted license within 90 days from the effective  
15 date of this Decision and Order. The restricted licenses issued to Respondent shall be subject  
16 to all of the provisions of Section 10156.7 of the Code and to the following limitations,  
17 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

22 2. The restricted broker license and restricted mortgage loan endorsement  
23 issued to Respondent may be suspended prior to hearing by Order of the Commissioner on  
24 evidence satisfactory to the Commissioner that Respondent has violated provisions of the  
25 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate  
26 Commissioner or conditions attaching to the restricted license.

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

7                   4. Respondent shall, within nine (9) months from the effective date of this  
8 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,  
9 since the most recent issuance of an original or renewal real estate license, taken and  
10 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of  
11 the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this  
12 condition, Respondent's real estate license shall automatically be suspended until  
13 Respondent presents evidence satisfactory to the Commissioner of having taken and  
14 successfully completed the continuing education requirement.

15                   5. All licenses and licensing rights of Respondents are indefinitely  
16 suspended unless or until Respondent pays the sum of \$5,015.29 for the Commissioner's  
17 reasonable cost of the investigation which led to this disciplinary action. Said payment shall  
18 be in the form of a cashier's check made payable to the Bureau of Real Estate. The  
19 investigative costs must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box  
20 137013, Sacramento, CA 95813-7013, to the effective date of this Decision and Order.


21                   6. Respondent shall, within six (6) months from the effective date of this  
22 Order, take and pass the Professional Responsibility Examination administered by the  
23 Bureau including the payment of the appropriate examination fee. If Respondent fails to  
24 satisfy this condition, Respondent's real estate license shall automatically be suspended until  
25 Respondent passes the examination.

26                   7. Respondent shall notify the Commissioner in writing within 72 hours  
27 of any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate,

1 Post Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of  
2 Respondent's arrest, the crime for which Respondent was arrested and the name and address  
3 of the arresting law enforcement agency. Respondent's failure to timely file written notice  
4 shall constitute an independent violation of the terms of the restricted license and shall be  
5 grounds for the suspension or revocation of that license.

7 7/20/17

8 DATED

7   
8 MEGAN LEE OLSEN, Counsel  
9 BUREAU OF REAL ESTATE

10 \* \* \*

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

18 Respondent may signify acceptance and approval of the terms and  
19 conditions of this Stipulation and Agreement by faxing a copy of the signature page, as  
20 actually signed by Respondent, to the Bureau at fax number (916) 263-3767. Respondent  
21 agrees, acknowledges, and understands that by electronically sending to the Bureau a fax  
22 copy of Respondent's actual signature as it appears on the Stipulation and Agreement, that  
23 receipt of the faxed copy by the Bureau shall be as binding on Respondent as if the Bureau  
24 had received the original signed Stipulation and Agreement. Respondent shall mail the

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1 signed Stipulation and Agreement to the Commissioner at the Bureau of Real Estate, Post  
2 Office Box 137000, Sacramento, CA 95813-7000.

3  
4 7-18-17  
DATED

  
JORDAN THOMAS YARBROUGH  
Respondent

6  
7 \* \* \*

8 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate  
9 Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on  
10 SEP 18 2017

11 IT IS SO ORDERED

8/24/17

12 WAYNE S. BELL  
13 Real Estate Commissioner

14 

15 By: DANIEL J. SANDRI  
16 Chief Deputy Commissioner