

Department of Real Estate
P.O. Box 137007
Sacramento, CA 95815-7007

Telephone: (916) 263-8672

FILED

JAN 23 2020

DEPARTMENT OF REAL ESTATE
By B. Nicholas

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

DELTA DREAMS PROPERTY
MANAGEMENT, INC., MITCHELL S.
SHANNON, and RENEE ALYSSA
HANNAH-SMITH,

Respondents.)

No. H-6813 SAC

STIPULATION AND
AGREEMENT TO
SURRENDER

It is hereby stipulated by and between DELTA DREAMS PROPERTY MANAGEMENT, INC., and RENEE ALYSSA HANNAH-SMITH collectively "Respondents"), and the Complainant, acting by and through Truly Sughrue, Counsel for the Department of Real Estate (Department), as follows for the purpose of settling and disposing the Accusation filed on May 21, 2019, in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondents 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 to Surrender (Stipulation).

1 2. Respondents have received, read, and understand the Statement to
2 Respondent, and the Discovery Provisions of the APA filed by the Department in this
3 proceeding.

4 3. Respondents filed a Notice of Defense pursuant to Section 11505 of the
5 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
6 Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents
7 acknowledge that Respondents understand that by withdrawing said Notice of Defense
8 Respondents will thereby waive Respondents' rights to require the Real Estate Commissioner
9 (Commissioner) to prove the allegations in the Accusation at a contested hearing held in
10 accordance with the provisions of the APA, and that Respondents will waive other rights
11 afforded to Respondents in connection with the hearing such as the right to present evidence in
12 defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

20 5. The Order or any subsequent Order of the Commissioner made pursuant to
21 this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
22 civil proceedings by the Department with respect to any matters which were not specifically
23 alleged in Accusation H-6813 SAC.

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1 DECLARATION OF DELTA DREAMS PROPERTY MANAGEMENT, INC.

2 In lieu of proceeding in this matter in accordance with the provisions of the APA,
3 DELTA DREAMS PROPERTY MANAGEMENT, INC. (DELTA) wishes to voluntarily
4 surrender its corporate real estate broker license issued by the Department, pursuant to Code
5 Section 10100.2. RENEE ALYSSA HANNAH-SMITH (HANNA-SMITH) is the Chief
6 Executive Officer and Director of DELTA, and is authorized to sign this declaration on behalf of
7 DELTA.

8 HANNA-SMITH, on behalf of DELTA, understands that by voluntarily
9 surrendering DELTA's license(s), DELTA may be re-licensed as a corporate broker only by
10 petitioning for reinstatement pursuant to section 11522 of the Government Code. HANNA-
11 SMITH, on behalf of DELTA, also understands that by voluntarily surrendering DELTA
12 license(s), HANNA-SMITH agrees to the following:

13 1. The filing of this Declaration shall be deemed as DELTA's petition for
14 voluntary surrender.

15 2. It shall also be deemed to be an understanding and agreement by HANNA-
16 SMITH that DELTA waives all rights DELTA has to require the Commissioner to prove the
17 allegations contained in the Accusation filed in this matter at a hearing held in accordance with
18 the provisions of the APA, and that DELTA also waives other rights afforded to DELTA in
19 connection with the hearing such as the right to discovery, the right to present evidence in
20 defense of the allegations in the Accusation and the right to cross-examine witnesses.

21 3. HANNA-SMITH, on behalf of DELTA, further agrees that upon
22 acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all
23 relevant evidence obtained by the Department in this matter prior to the Commissioner's
24 acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-
25 6813 SAC may be considered by the Department to be true and correct for the purpose of
26 deciding whether to grant re-licensure or reinstatement pursuant to Government Code section
27 11522.

1 4. HANNA-SMITH freely and voluntarily surrenders all of DELTA's
2 licenses and license rights under the Real Estate Law.

3 DECLARATION OF RENEE ALYSSA HANNAH-SMITH

4 In lieu of proceeding in this matter in accordance with the provisions of the APA,
5 I, HANNA-SMITH, wish to voluntarily surrender my real estate license(s) issued by the
6 Department, pursuant to Business and Professions Code section 10100.2.

7 I understand that by voluntarily surrendering my license(s), I may be re-licensed
8 as a salesperson or as a broker only by petitioning for reinstatement pursuant to section 11522 of
9 the Government Code. I also understand that by voluntarily surrendering my license(s), I agree
10 to the following:

11 1. The filing of this Declaration shall be deemed as my petition for
12 voluntary surrender.

13 2. It shall also be deemed to be an understanding and agreement by me that
14 I waive all rights I have to require the Commissioner to prove the allegations contained in the
15 Accusation filed in this matter at a hearing held in accordance with the provisions of the APA,
16 and that I also waive other rights afforded to me in connection with the hearing such as the
17 right to discovery, the right to present evidence in defense of the allegations in the Accusation
18 and the right to cross-examine witnesses.

19 3. I further agree that upon acceptance by the Commissioner, as evidenced
20 by an appropriate order, all affidavits and all relevant evidence obtained by the Department in
21 this matter prior to the Commissioner's acceptance, and all allegations contained in the
22 Accusation filed in the Department Case No. H-6813 SAC may be considered by the
23 Department to be true and correct for the purpose of deciding whether to grant re-licensure or
24 reinstatement pursuant to Government Code section 11522.

25 4. I freely and voluntarily surrender all my licenses and license rights under
26 the Real Estate Law.

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ORDER

I

DELTA's petition for voluntary surrender of its corporate real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in DELTA's Declaration incorporated herein as part of this Stipulation. DELTA's license certificates, pocket cards and any branch office license certificates shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

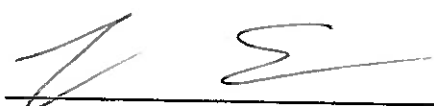
DEPARTMENT OF REAL ESTATE
Attn: Licensing Flag Section
P. O. Box 137013
Sacramento, CA 95815-7013

II

HANNA-SMITH's petition for voluntary surrender of his real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in HANNA-SMITH's Declaration incorporated herein as part of this Stipulation. HANNA-SMITH's license certificates, pocket cards and any branch office license certificates shall be sent to the below listed address so that they reach the Department on or before the effective date of this Order:

DEPARTMENT OF REAL ESTATE
Attn: Licensing Flag Section
P. O. Box 137013
Sacramento, CA 95813-7013

9-Dec-19
DATED


TRULY SUGHRUE
Counsel for Complainant

* * *

I have read the Stipulation and Agreement, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive

1 those rights, including the right of requiring the Commissioner to prove the allegations in the
2 Accusation at a hearing at which I would have the right to cross-examine witnesses against me
3 and to present evidence in defense and mitigation of the charges.

4 Respondents further agree to send the original signed Stipulation by mail to the
5 following address no later than one (1) week from the date the Stipulation is signed by
6 Respondents: *Department of Real Estate, Legal Section, P.O. Box 137007, Sacramento,*
7 *California 95813-7007.* Respondents understand and agree that if they fail to return the original
8 signed Stipulation by the due date, Complainant retains the right to set this matter for hearing.

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10 DELTA DREAMS PROPERTY
MANAGEMENT, INC.

Respondent

11
12 12/5/19
13 DATED

By: *Renee Alyssa Hannah-Smith*
RENEE ALYSSA HANNAH-SMITH,
Chief Executive Officer

14
15 12/5/19
16 DATED

Renee Alyssa Hannah-Smith
RENEE ALYSSA HANNAH-SMITH
Respondent

17 ***

18 The foregoing Stipulation is hereby adopted as my Decision and Order and shall
19 become effective at 12 o'clock noon on FEB 13 2020

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21 IT IS SO ORDERED 1/10/20

22 SANDRA KNAU
23 ACTING REAL ESTATE COMMISSIONER

24 *Sandra Knaus*
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