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3 **FILED**

4 **JAN 16 2025**

5 **DEPARTMENT OF REAL ESTATE**

6 By *B. Nicholas*

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8
9 **BEFORE THE DEPARTMENT OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Accusation of)

No. H-7323 SAC

13 JOSHUA TYLER BLACKWOOD,)

STIPULATION AND
AGREEMENT

14 Respondent.)

15
16 It is hereby stipulated by and between JOSHUA TYLER BLACKWOOD
17 ("Respondent"), represented by Mary E. Work, Esq., and the Complainant, acting by and
18 through Kyle Jones, Counsel for the Department of Real Estate ("Department"), as follows for
19 the purpose of settling and disposing of the Accusation filed on May 8, 2024, in this matter:

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

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

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

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

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

24 6. This Decision and Order or any subsequent Order of the Commissioner
25 made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar
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1 to any further administrative or civil proceedings by the Department with respect to any matters
2 which were not specifically alleged in Accusation H-7323 SAC.

3 7. Respondent understands that by agreeing to this Order, Respondent agrees
4 to pay, pursuant to Section 10106 of the Business and Professions Code ("Code"), the cost of the
5 investigation and enforcement which resulted in the determination that Respondent committed
6 the violations found in the Determination of Issues. The amount of said costs is \$3,133.75.

7 DETERMINATION OF ISSUES

8 By reason of the foregoing stipulations, admissions, and waivers and solely for
9 the purpose of settlement of the pending Accusation without hearing, it is stipulated and agreed
10 that the acts and/or omissions of Respondent as described in the Accusation violate Sections
11 10176(a), 10177(d), 10176(i), 10176.5, 10177(g), and 10177(j) of the Code.

12 ORDER

13 Respondent's real estate broker license is revoked; provided, however, a restricted
14 real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the
15 Code if Respondent makes application therefor for the restricted license within 90 days from the
16 effective date of this Decision and Order. The restricted license issued to Respondent shall be
17 subject to all of the provisions of Section 10156.7 of the Code and to the following limitations,
18 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

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

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

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

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

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

14 5. Respondent shall, within nine (9) months from the effective date of this
15 Stipulation, present evidence satisfactory to the Commissioner that Respondent has, since the
16 most recent issuance of an original or renewal real estate license, taken and successfully
17 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
18 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
19 Respondent's real estate license shall automatically be suspended until Respondent presents
20 evidence satisfactory to the Commissioner of having taken and successfully completed the
21 continuing education requirements. Proof of completion of the continuing education courses
22 must be delivered to the Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811.

23 6. Respondent shall notify the Commissioner in writing within 72 hours of
24 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate.
25 The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was
26 arrested and the name and address of the arresting law enforcement agency. Respondent's failure
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1 to timely file written notice shall constitute an independent violation of the terms of the restricted
2 license and shall be grounds for the suspension or revocation of that license.

3 7. All licenses and licensing rights of Respondent are indefinitely suspended
4 unless or until Respondent pays the sum of \$3,133.75 for the Commissioner's reasonable cost of
5 the investigation and enforcement which led to this disciplinary action. Said payment shall be in
6 the form of a cashier's check made payable to the Department. The investigative and
7 enforcement costs must be delivered to the Department, Flag Section at 651 Bannon Street,
8 Suite 504, Sacramento, CA 95811.

9
10 11/13/24
11 DATED

12 
13 KYLE JONES, Attorney
14 DEPARTMENT OF REAL ESTATE

15 * * *

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

23 Respondent can signify acceptance and approval of the terms and conditions of
24 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by
25 Respondent, to the Department at fax number (916) 576-7840 or by e-mail to
26 kyle.jones@dre.ca.gov. Respondent agrees, acknowledges, and understands that by
27 electronically sending to the Department a copy of Respondent's actual signature as it appears
on the Stipulation and Agreement, that receipt of the copy by the Department shall be as

1 binding on Respondent as if the Department had received the original signed Stipulation and
2 Agreement.

3 1/7/24
4 DATED

J. Blackwood
JOSHUA TYLER BLACKWOOD
Respondent

5 * * *

6 *I have reviewed this Stipulation and Agreement as to form and content and have*
7 *advised my client accordingly.*

8 1/7/2024
9 DATED

Mary E. Work
MARY E. WORK, Esq.
Attorney for Respondent

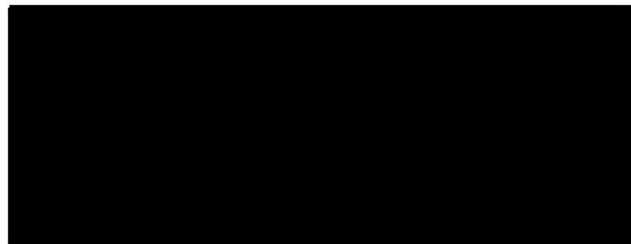
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13 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate
14 Commissioner as their Decision and Order and shall become effective at 12 o'clock noon on
15 **FEB 06 2025**

16 IT IS SO ORDERED

1/7/2025

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18 CHIKA SUNQUIST
Real Estate Commissioner



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3 **FILED**

4 **JAN 16 2025**

5 **DEPARTMENT OF REAL ESTATE**
6 **By** *B. Nicholas*

7
8 **BEFORE THE DEPARTMENT OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of:) DRE No. H-7323 SAC
12)
12 **GRANITE CREEK REALTY, INC.,**)
13)
13 Respondent.)

14 **ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE**

15 On May 08, 2024, an Accusation was filed in this matter against Respondent
16 GRANITE CREEK REALTY, INC. ("Respondent").

17 On November 7, 2024, Respondent petitioned the Commissioner to voluntarily
18 surrender its corporate real estate broker license pursuant to Section 10100.2 of the Business and
19 Professions Code.

20 IT IS HEREBY ORDERED that Respondent GRANITE CREEK REALTY, INC. 's
21 petition for voluntary surrender of its corporate real estate broker license is accepted as of the
22 effective date of this Order as set forth below, based upon the understanding and agreement
23 expressed in Respondent's Declaration dated November 7, 2024 (attached as Exhibit "A" hereto).

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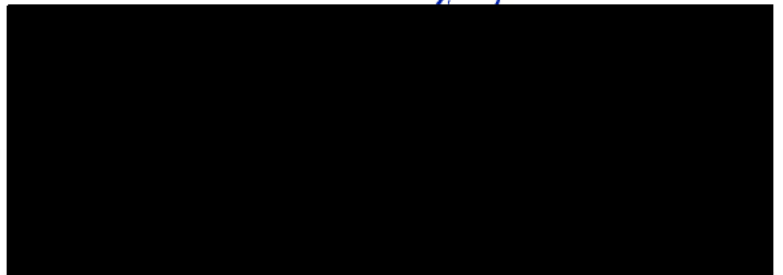
1 Respondent's license certificate and pocket card shall be sent to the below-listed
2 address so that they reach the Department of Real Estate on or before the effective date of this
3 Order:

4
5 DEPARTMENT OF REAL ESTATE
6 Attention: Licensing Flag Section
7 P. O. Box 504
8 Sacramento, CA 95811

9 This Order shall become effective at 12 o'clock noon on FEB 06 2025

10 DATED: 1/7/2025

11 CHIKA SUNQUIST
12 REAL ESTATE COMMISSIONER



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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) DRE No.H-07323 SAC
12)
13 GRANITE CREEK REALTY, INC.,)
14)
Respondent.)

15 DECLARATION

16 On or about May 8, 2024, an Accusation was filed against GRANITE CREEK
17 REALTY, INC. ("GCRI").

18 GCRI is currently licensed with the Department of Real Estate ("Department") as a
19 corporate real estate broker, License No. 01949429, with a license expiration date of February 12,
20 2026. GCRI is represented by Mary Work, Attorney at Law.

21 In lieu of proceeding in this matter in accordance with the provisions of the
22 Administrative Procedures Act (Government Code Sections 11400 et seq.), GCRI wishes to
23 voluntarily surrender their respective license(s), including all rights and endorsements, pursuant to
24 Business and Professions Code ("Code") Section 10100.2.

25 GCRI understands that by voluntarily surrendering its real estate license(s),
26 including all rights and endorsements attached thereto, GCRI's real estate license(s) may only be
27 reinstated pursuant to Section 11522 of the Government Code.



1 GCRI further understands that by voluntarily surrendering its real estate license(s),
2 including all rights and endorsements associated with that license, GCRI agrees to the following
3 provisions:

4 DECLARATION OF GRANITE CREEK REALTY, INC.

- 5 1) I, Joshua Tyler Blackwood, am the Designated Broker Officer for GCRI and I am
6 authorized to sign this Declaration on behalf of GCRI.
- 7 2) The filing of this Declaration shall be deemed as GCRI's petition for the
8 voluntary surrender of its corporate broker license and all license rights and
9 endorsements.
- 10 3) The filing of this Declaration shall be deemed to be an understanding and
11 agreement by GCRI that it waives all rights it has to require the Commissioner to
12 prove the allegations contained in the Accusation, Case No. H-7323 SAC, at a
13 hearing held in accordance with the provisions of the Administrative Procedures
14 Act (Government Code Sections 11400 et seq.).
- 15 4) GCRI agrees to waive other rights afforded to GCRI in connection with the
16 hearing in Case No. H-7323 SAC, such as the right to discovery, the right to
17 present evidence in defense of the allegations made by the Department in the
18 Accusation, and the right to cross-examine witnesses.
- 19 5) GCRI further agrees that upon acceptance of the voluntary surrender of GCRI's
20 license by the Commissioner, as evidenced by an appropriate order, the
21 Department may consider any Order issued in Accusation Case No. H-7323
22 SAC, for the purpose of deciding whether to grant relicensure or reinstatement
23 pursuant to Government Code Section 11522.
- 24 6) GCRI declares under penalty of perjury, under the laws of the State of California,
25 that the above is true and correct and that GCRI freely and voluntarily surrenders
26 its corporate broker license and all license rights and endorsements.
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GRANITE CREEK REALTY, INC.

Respondent

DATED: 11/7/24

By: 

JOSHUA TYLER BLACKWOOD

Designated Broker Officer for GCRI