

FILED

OCT 22 2024

DEPT. OF REAL ESTATE

By

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Attorney for Complainant

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of) No. H-7381 SAC
)
PAYPROP (CA), INC,) SECOND AMENDED
) STATEMENT OF ISSUES
Respondent.)
_____)

The Complainant, Heather Nishimura, a Supervising Special Investigator of the State of California, for Statement of Issues against PAYPROP (CA), INC ("Respondent"), is informed and alleges in her official capacity as follows:

1.

a. On or about September 6, 2023, Respondent made application to the Department of Real Estate ("Department") of the State of California for a real estate corporation license.

b. Said application requested as the designated broker-officer for Respondent to be Anthony Giglio (Department License ID 02168258).

(DISCIPLINARY ACTION)

3.

a. On or about October 23, 2023, before the Real Estate Commission for the State of Colorado, In The Matter Of The Disciplinary Action Against The Real Estate Broker's License of Anthony J. Giglio, License #ER.100094443, Case Number 2022-2128, pursuant to a

1 Stipulation and Final Agency Order, the broker license of Anthony J. Giglio ("Giglio") was
2 disciplined. Said license discipline included the following:

- 3 (1) Suspension of Giglio's broker license for three (3) consecutive months
4 upon the execution of the Stipulation and Final Agency Order;
- 5 (2) Probation of Giglio's broker license for two (2) years upon the
6 effective date of the Stipulation and Final Agency Order;
- 7 (3) Eight (8) practice audits to be conducted quarterly over the two years of
8 probation; and
- 9 (4) Payment of fines totaling \$17,250.00.

10 b. Giglio was subject to disciplinary action for violating real estate licensing law
11 and/or Commission rules, which included the following:

- 12 (1) Colorado Revised Statutes (C.R.S.) section 12-10-217(1)(k) (failure to
13 maintain possession, for a period of four years, documents prescribed by the
14 rules and regulation of the Commission or to produce such documents upon
15 reasonable request of the Commission);
- 16 (2) C.R.S. section 12-10-217(1)(m) (disregarding or violating any provision of
17 the Real Estate Broker License Law or Commission rule or regulation);
- 18 (3) C.R.S. section 12-10-407(2)(b) (failure to fulfill the minimum duties of a
19 transaction broker);
- 20 (4) Commission Rule 6.19 (closing responsibility);
- 21 (5) Commission Rule 6.20 (transaction file requirements);
- 22 (6) Commission Rule 7.1 (standard forms);
- 23 (7) Commission Rule 7.2 (modification of commission-approved forms);
- 24 (8) Commission Rule 7.3 (modification of additional provisions); and
- 25 (9) Commission Rule 7.4 (prohibited provisions)

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1 4.

2 The allegations set forth in Paragraph 3 above constitute cause under Code
3 sections 10177(f) and 10177(g) for the denial of license to Respondent.

4 5.

5 These proceedings are brought under the provisions of Section 10100, Division
6 4 of the Business and Professions Code of the State of California and Sections 11500 through
7 11528 of the California Government Code.

8 WHEREFORE, the Complainant prays that the above-entitled matter be set for
9 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
10 authorize the issuance of, and deny the issuance of, a real estate corporation license to
11 Respondent PAYPROP (CA), INC and for such other and further relief as may be proper under
12 other applicable provisions of law.

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14 Dated at Fresno, California, on October 22nd, 2024.

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18 Ruben Coronado, *for* Heather Nishimura,
Supervising Special Investigator

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23 cc: PAYPROP (CA), INC
24 Heather Nishimura
25 Sacto.
26
27

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) No. H-7381 SAC
)
PAYPROP (CA), INC,) FIRST AMENDED
) STATEMENT OF ISSUES
)
Respondent.)
_____)

The Complainant, Heather Nishimura, a Supervising Special Investigator of the State of California, for Statement of Issues against PAYPROP (CA), INC ("Respondent"), is informed and alleges in her official capacity as follows:

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a. On or about September 6, 2023, Respondent made application to the Department of Real Estate ("Department") of the State of California for a real estate corporation license.

b. Said application requested as the designated broker-officer for Respondent to be Anthony Giglio (Department License ID 02168258).

(DISCIPLINARY ACTION)

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1 Stipulation and Final Agency Order, the broker license of Anthony J. Giglio ("Giglio") was
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6 effective date of the Stipulation and Final Agency Order;
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8 probation; and
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11 and/or Commission rules, which included the following:

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13 maintain possession, for a period of four years, documents prescribed by the
14 rules and regulation of the Commission or to produce such documents upon
15 reasonable request of the Commission);
- 16 (2) C.R.S. section 12-10-217(1)(m) (disregarding or violating any provision of
17 the Real Estate Broker License Law or Commission rule or regulation);
- 18 (3) C.R.S. section 12-10-407(2)(b) (failure to fulfill the minimum duties of a
19 transaction broker);
- 20 (4) Commission Rule 6.19 (closing responsibility);
- 21 (5) Commission Rule 6.20 (transaction file requirements);
- 22 (6) Commission Rule 7.1 (standard forms);
- 23 (7) Commission Rule 7.2 (modification of commission-approved forms);
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6 4 of the Business and Professions Code of the State of California and Sections 11500 through
7 11528 of the California Government Code.

8 WHEREFORE, the Complainant prays that the above-entitled matter be set for
9 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
10 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
11 Respondent PAYPROP (CA), INC and for such other and further relief as may be proper under
12 other applicable provisions of law.

13
14 Dated at Sacramento, California, on October 10, 2024.

15
16  for
17 _____

18 Heather Nishimura
19 Supervising Special Investigator
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23

24 cc: PAYPROP (CA), INC
25 Heather Nishimura
26 Sacto.
27

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8 Attorney for Complainant

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SEP 25 2024

DEPT. OF REAL ESTATE

By: [REDACTED]

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 In the Matter of the Application of) No. H-7381 SAC
12)
13 PAYPROP (CA), INC,) STATEMENT OF ISSUES
14) Respondent.)

15 The Complainant, Heather Nishimura, a Supervising Special Investigator of the State of
16 California, for Statement of Issues against PAYPROP (CA), INC ("Respondent"), is informed
17 and alleges in her official capacity as follows:

18 1.

19 a. On or about September 6, 2023, Respondent made application to the Department of
20 Real Estate ("Department") of the State of California for a real estate corporation license.

21 b. Said application requested as the designated broker-officer for Respondent to be
22 Anthony Giglio (Department License ID 02168258).

23 (DISCIPLINARY ACTION)

24 3.

25 a. On or about October 23, 2023, before the Real Estate Commission for the State of
26 Colorado, In The Matter Of The Disciplinary Action Against The Real Estate Broker's License
27 of Anthony J. Giglio, License #ER.100094443, Case Number 2022-2128, pursuant to a

1 Stipulation and Final Agency Order, the broker license of Respondent was disciplined. Said
2 license discipline included the following:

- 3 (1) Suspension of Respondent's broker license for three (3) consecutive months
4 upon the execution of the Stipulation and Final Agency Order;
- 5 (2) Probation of Respondent's broker license for two (2) years upon the
6 effective date of the Stipulation and Final Agency Order;
- 7 (3) Eight (8) practice audits to be conducted quarterly over the two years of
8 probation; and
- 9 (4) Payment of fines totaling \$17,250.00.

10 b. Respondent was subject to disciplinary action for violating real estate licensing law
11 and/or Commission rules, which included the following:

- 12 (1) Colorado Revised Statutes (C.R.S.) section 12-10-217(1)(k) (failure to
13 maintain possession, for a period of four years, documents prescribed by the
14 rules and regulation of the Commission or to produce such documents upon
15 reasonable request of the Commission);
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- 18 (3) C.R.S. section 12-10-407(2)(b) (failure to fulfill the minimum duties of a
19 transaction broker);
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7 11528 of the California Government Code.

8 WHEREFORE, the Complainant prays that the above-entitled matter be set for
9 hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
10 authorize the issuance of, and deny the issuance of, a real estate salesperson license to
11 Respondent PAYPROP (CA), INC and for such other and further relief as may be proper under
12 other applicable provisions of law.

13
14 Dated at Sacramento, California, on September 24, 2024.

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18 Heather Nishimura
19 Supervising Special Investigator
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23

24 cc: PAYPROP (CA), INC
25 Heather Nishimura
26 Sacto.
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