

**FILED**

**JUL 15 2024**

**DEPT. OF REAL EST.**

**By** 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	No. H-12614 SF
	)	
<u>EXCLUSIVE LIFESTYLES, INC.</u> ,	)	
RANDALL NOEL KOSTICK, individually and as	)	
designated officer of Exclusive Lifestyles, Inc.,	)	
ALL CALIFORNIA BROKERAGE INC,	)	
BARBARA MAYBER LYNCH, individually and	)	
as designated officer of All California Brokerage	)	
Inc, and FRANK JOHN SERGI,	)	
	)	
Respondents.	)	
	)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 12, 2024, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, EXCLUSIVE LIFESTYLES, INC. ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 commencing with Section 10000 of the Business and Professions Code ("Code") and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the

Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

#### FINDINGS OF FACT

1.

On March 27, 2023, Veronica Kilpatrick made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on March 28, 2023.

2.

On June 12, 2024, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

#### LICENSE HISTORY

3.

(EXCLUSIVE LIFESTYLES, INC.)

(a) Respondent EXCLUSIVE LIFESTYLES, INC. ("ELI") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate corporation ("REC"), Department license ID 02109201.

(b) The Department originally issued ELI's corporate license on January 23, 2020. ELI's license is scheduled to expire on July 15, 2024, unless renewed.

(c) According to the Department's records to date, ELI has over 1800 broker associates and salespersons associated with its license.

(d) According to the Department's records, on or about June 2, 2021, ELI purchased REC Cal American Homes and Realty.

4.

To date, the Department has incurred investigation costs of \$2,162.90.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on March 28, 2023, which is incorporated herein as part of this Decision.

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DETERMINATION OF ISSUES

6.

The overall conduct of Respondent violates the Real Estate Law and constitutes cause for the suspension or revocation of their real estate license and license rights under the provisions of **Code Section 10177(g)** for negligence and **Code Section 10177(d)** for willful disregard of the Real Estate Law.

7.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent EXCLUSIVE LIFESTYLES, INC. under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on AUG 14 2024.

DATED: Jul 10, 2024.

CHIKA SUNQUIST  
REAL ESTATE COMMISSIONER

  
By: Marcus L. McCarther  
Chief Deputy Real Estate Commission

1 Department of Real Estate  
2 320 West Fourth St, Ste 350  
3 Los Angeles, CA, 90013

**FILED**

JUN 12 2024

DEPT. OF REAL ESTATE  
By *f. Postell*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of ) No. H-12614 SF  
12 )  
13 EXCLUSIVE LIFESTYLES, INC., ) DEFAULT ORDER  
14 RANDALL NOEL KOSTICK, individually and as )  
15 designated officer of Exclusive Lifestyles, Inc., )  
16 ALL CALIFORNIA BROKERAGE INC, )  
17 BARBARA MAYBER LYNCH, individually and )  
18 as designated officer of All California Brokerage )  
19 Inc, and FRANK JOHN SERGI, )  
20 Respondents. )  
21 )  
22 )

19 Respondent EXCLUSIVE LIFESTYLES, INC. , having failed to file a  
20 Notice of Defense within the time required by Section 11506 of the Government Code, is  
21 now in default. It is, therefore, ordered that a default be entered on the record in this matter.

22 IT IS SO ORDERED JUNE 12, 2024.

23 CHIKA SUNQUIST  
24 REAL ESTATE COMMISSIONER

25  
26 By: *Tricia D. Parkhurst*  
27 TRICIA D. PARKHURST  
Assistant Commissioner, Enforcement