

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982

FILED

SEP 12 2024

DEPT. OF REAL ESTATE

By- [REDACTED]

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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of

) DRE No. H-12688 SF
) OAH No. 2024010783

13
14 JOE L. VANNI,

) **STIPULATION AND AGREEMENT**
) **IN SETTLEMENT AND ORDER**

15 Respondent.
16

17 It is hereby stipulated by and between Respondent JOE L. VANNI, a.k.a. "Joseph
18 L. Vanni" ("Respondent"), in pro per, and the Complainant, acting by and through Kathy Yi,
19 Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing
20 of the First Amended Accusation filed on December 27, 2023 ("Accusation"), in this matter:

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

26 2. Respondent has received, read and understands the Statement to Respondent,
27 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate

1 ("Department") in this proceeding.

2 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
3 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
4 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
5 acknowledges that Respondent understand that by withdrawing said Notice of Defense,
6 Respondent thereby waives Respondent's right to require the Commissioner to prove the
7 allegations in the Accusation at a contested hearing held in accordance with the provisions of the
8 APA and that Respondent will waive other rights afforded to them in connection with the
9 hearing such as the right to present evidence in their defense, and the right to cross-examine
10 witnesses.

11 4. Respondent, pursuant to the limitations set forth below, hereby admits that the
12 factual allegations in the Accusation filed in this proceeding are true and correct and the Real
13 Estate Commissioner shall not be required to provide further evidence of such allegations.

14 5. This Stipulation is made for the purpose of reaching an agreed disposition of
15 this proceeding and is expressly limited to this proceeding and not any other proceeding or case
16 in which the Department, or another licensing agency of this state, another state, or the federal
17 government is involved, and otherwise shall not be admissible in any criminal or civil
18 proceeding.

19 6. It is understood by the parties that the Real Estate Commissioner may adopt
20 this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on
21 Respondent's real estate licenses and license rights as set forth in the below "Order." In the
22 event that the Commissioner in her discretion does not adopt the Stipulation, the Stipulation shall
23 be void and of no effect and Respondent shall retain the right to a hearing and proceed on the
24 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
25 made herein.

26 7. The Order or any subsequent Order of the Real Estate Commissioner made
27 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further

1 administrative or civil proceedings by the Department with respect to any matters which were
2 not specifically alleged to be causes for accusation in this proceeding.

3 **DETERMINATION OF ISSUES**

4 By reason of the foregoing, and solely for the purpose of settlement of the
5 pending Accusation without a hearing, it is stipulated and agreed that the following
6 Determination of Issues shall be made:

7 The conduct, acts or omissions of Respondent JOE L. VANNI, as set forth in the
8 Accusation, are in violation of California Business and Professions Code ("Code") sections
9 10145, 10176(a), 10176(e), 10176(g), 10176(i), 10232.3(b), 10232.45(c), 10232.45(d), 10233(a),
10 10233.1, 10234(c), 10234.5, 10236.7(a), 10236.7(b), 10238(a), 10238(b), 10238(f), 10238(j)(4),
11 10238(j)(5), 10238(j)(6), 10238(k)(1)(b)(2), 10238(k)(1)(b)(5), 10238(k)(2), 10238(k)(3),
12 10240(a); California Code of Regulations ("Regulation"), Title 10, Chapter 6, sections 2830,
13 2831, 2831.1, 2831.2, 2832, 2832.1, 2840, 2846.1; and California Health and Safety Code
14 sections 35800 through 35833; and are a basis for discipline of Respondent JOE L. VANNI's
15 licenses and licensing rights pursuant to Code sections 10176(a), 10177(d), and/or 10177(g).

16 **ORDER**

17 **WHEREFORE, THE FOLLOWING ORDER is hereby made:**

18 (STAYED SUSPENSION)

19 I.

20 All licenses and licensing rights of Respondent JOE L. VANNI under the Real
21 Estate Law are suspended for a period of **one hundred twenty (120) days** from the effective
22 date of this Decision; provided, however, that all one hundred twenty (120) days of said
23 suspension shall be **stayed** upon the following terms and conditions:

24 1. Respondent JOE L. VANNI shall obey all laws, rules and regulations
25 governing the rights, duties and responsibilities of a real estate licensee in the State of California;
26 and

27 2. That no final subsequent determination be made, after hearing or upon

1 stipulation, that cause for disciplinary action occurred within two (2) years of the effective date
2 of this Decision. Should such a determination be made, the Commissioner may, in her
3 discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed
4 suspension. Should no such determination be made, the stay imposed herein shall become
5 permanent.

6 (AUDIT COSTS)

7 II.

8 Pursuant to Code section 10148, Respondent JOE L. VANNI shall pay the
9 Commissioner's reasonable costs for the audit which led to this disciplinary action in the amount
10 of **\$9,118.00**. Respondent shall pay such costs **within sixty (60) days** of receiving an invoice
11 therefor from the Commissioner. Payment of the audit costs should not be made until
12 Respondent receive the invoice. If Respondent fails to satisfy this condition in a timely manner
13 as provided for herein, Respondent's real estate licenses shall automatically be suspended until
14 payment is made in full, or until a decision providing otherwise is adopted following a hearing
15 held pursuant to this condition.

16 (SUBSEQUENT AUDIT COSTS)

17 III.

18 Pursuant to Code section 10148, Respondent JOE L. VANNI shall pay the
19 Commissioner's reasonable costs, not to exceed **\$11,397.50**, for a subsequent audit to determine
20 if Respondent JOE L. VANNI has corrected the violations found in the Determination of Issues.
21 In calculating the amount of the Commissioner's reasonable costs, the Commissioner may use
22 the estimated average hourly salary for all persons performing audits of real estate brokers, and
23 shall include an allocation for travel time to and from the auditor's place of work. Respondent
24 JOE L. VANNI shall pay such costs **within sixty (60) days** of receiving an invoice therefor from
25 the Commissioner. If Respondent JOE L. VANNI fails to satisfy this condition in a timely
26 manner as provided for herein, Respondent's real estate licenses shall automatically be
27 suspended until payment is made in full, or until a decision providing otherwise is adopted


1 following a hearing held pursuant to this condition.

2 (INVESTIGATION AND ENFORCEMENT COSTS)

3 IV.

4 All licenses and license rights of Respondent JOE L. VANNI are indefinitely
5 suspended, unless or until Respondent pays the sum of **\$4,610.20** for the Commissioner's
6 reasonable costs of the investigation and enforcement that led to this disciplinary action. Said
7 payment shall be in the form of a cashier's check made payable to the Department of Real Estate.
8 The investigative and enforcement costs must be delivered to the Department of Real Estate,
9 Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective**
10 **date of this Decision and Order.** Payment of investigation and enforcement costs should not be
11 made until the Stipulation has been approved by the Commissioner.

12
13 DATED: 07/11/2024

14 
Kathy Yi, Counsel for
Department of Real Estate

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17 **EXECUTION OF THE STIPULATION**


18 Respondent has read the Stipulation, and its terms are understood by Respondent
19 and are agreeable and acceptable to Respondent. Respondent understands that Respondent is
20 waiving rights given to Respondent by the California Administrative Procedure Act (including
21 but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and
22 Respondent willingly, intelligently and voluntarily waives those rights, including the right of
23 requiring the Commissioner to prove the allegations in the Accusation at a hearing at which
24 Respondent would have the right to cross-examine witnesses against them and to present
25 evidence in defense and mitigation of the charges.

26 Respondent agrees, acknowledges, and understands that Respondent cannot
27 rescind or amend this Stipulation and Agreement. By signing this Stipulation, Respondent

1 understands and agrees that Respondent may not withdraw Respondent's agreement or seek to
2 rescind the Stipulation prior to the time the Commissioner considers and acts upon it or prior to
3 the effective date of the Stipulation and Order.

4 Respondent can signify acceptance and approval of the terms and conditions of
5 this Stipulation and Agreement by electronically e-mailing a copy of the signature page, as
6 actually signed by Respondent, to the Department. Respondent agrees, acknowledges, and
7 understands that by electronically sending to the Department an electronic copy of Respondent's
8 actual signatures, as they appear on the Stipulation, that receipt of the emailed copy by the
9 Department shall be as binding on Respondent as if the Department had received the original
10 signed Stipulation. Alternatively, Respondent can signify acceptance and approval of the terms
11 and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and
12 Agreement to: Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite 350, Los
13 Angeles, California 90013-1105.

14
15 Dated: 7/11/2024


JOE L. VANNI
Respondent

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19 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
20 Respondent JOE L. VANNI shall become effective at 12 o'clock noon on

21 10/2/2024.

22 IT IS SO ORDERED 9/9/2024.

23
24 CHIKA SUNQUIST
REAL ESTATE COMMISSIONER