

FILED

JUL 30 2025

DEPT. OF REAL ESTATE

By [REDACTED]

1 Department of Real Estate  
2 320 W. 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone: (213) 559-5990  
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7

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA  
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11 In the Matter of the Accusation of	)	DRE No. H-12751 SF
	)	
12 FUNDING RUSH, INC.; and	)	
13 ANDREW ADRIAN DIOLI,	)	<u>STIPULATION AND</u>
14 individually and as designated officer	)	<u>AGREEMENT IN SETTLEMENT</u>
15 for Funding Rush, Inc.,	)	<u>AND ORDER</u>
	)	
16 Respondents.	)	

17  
18 It is hereby stipulated by and between Respondents FUNDING RUSH, INC. and  
19 ANDREW ADRIAN DIOLI, individually and as the Designated Officer of Funding Rush, Inc.  
20 (sometimes collectively referred to as "Respondents"), acting in pro per, and the Complainant,  
21 acting by and through Kathy Yi, Counsel for the Department of Real Estate, as follows for the  
22 purpose of settling and disposing of Accusation filed on January 21, 2025 ("Accusation"), in this  
23 matter:

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

1 this Stipulation and Agreement ("Stipulation").

2                 2. Respondents have received, read and understand the Statement to Respondent,  
3 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate  
4 ("Department") in this proceeding.

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

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

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

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

1                   7. The Order or any subsequent Order of the Real Estate Commissioner made  
2 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further  
3 administrative or civil proceedings by the Department with respect to any matters which were  
4 not specifically alleged to be causes for accusation in this proceeding.

5                                   **DETERMINATION OF ISSUES**

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

9                   The conduct, acts or omissions of Respondent FUNDING RUSH, INC., as set  
10 forth in the Accusation, are in violation of California Business and Professions Code ("Code")  
11 sections 10232(e), 10232.2(b), 10232.2(c), 10232.25(d), 10232.3(b), 10232.4(a), 10232.45,  
12 10238(a), 10238(f), and 10238(l) and are a basis for discipline of Respondent FUNDING RUSH,  
13 INC.'s licenses and licensing rights pursuant to Code sections 10177(d), 10177(g), and/or  
14 10177(h).

15                   The conduct, acts or omissions of Respondent ANDREW ADRIAN DIOLI, as set  
16 forth in the Accusation, are in violation of Code section 10159.2 and Regulation section 2725  
17 and are a basis for discipline of Respondent ANDREW ADRIAN DIOLI's licenses and licensing  
18 rights pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

19                                   **ORDER**

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

21                                   **(FUNDING RUSH, INC.)**

22                                   **I. STAYED SUSPENSION OF REAL ESTATE LICENSE**

23                   All licenses and licensing rights of Respondent FUNDING RUSH, INC. under the  
24 Real Estate Law are suspended for a period of **thirty (30) days** from the effective date of this  
25 Decision; provided, however, that all thirty (30) days of said suspension shall be **stayed** upon the  
26 following terms and conditions:

27                   ///



1 is adopted following a hearing held pursuant to this condition.

2 III. SUBSEQUENT AUDIT COSTS

3 Pursuant to Code section 10148, Respondent FUNDING RUSH, INC. shall,  
4 jointly and severally with Respondent ANDREW ADRIAN DIOLI, pay the Commissioner's  
5 reasonable costs, not to exceed **\$3,736.25**, for a subsequent audit to determine if Respondents  
6 have corrected the violations found in the Determination of Issues. In calculating the amount of  
7 the Commissioner's reasonable costs, the Commissioner may use the estimated average hourly  
8 salary for all persons performing audits of real estate brokers, and shall include an allocation for  
9 travel time to and from the auditor's place of work. Respondent FUNDING RUSH, INC. shall  
10 pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner. If  
11 Respondent FUNDING RUSH, INC. fails to satisfy this condition in a timely manner as  
12 provided for herein, Respondent FUNDING RUSH, INC.'s real estate licenses shall  
13 automatically be suspended until payment is made in full, or until a decision providing otherwise  
14 is adopted following a hearing held pursuant to this condition.

15 IV. INVESTIGATION AND ENFORCEMENT COSTS

16 Respondent FUNDING RUSH, INC. shall pay, jointly and severally with  
17 Respondent ANDREW ADRIAN DIOLI, the sum of **\$1,982.30** for the Commissioner's  
18 reasonable costs of the investigation and enforcement that led to this disciplinary action. Said  
19 payment shall be in the form of a cashier's check made payable to the Department of Real Estate.  
20 The investigative and enforcement costs must be delivered to the Department of Real Estate,  
21 Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective**  
22 **date of this Decision and Order.** Payment of investigation and enforcement costs should not be  
23 made until the Stipulation has been approved by the Commissioner. If Respondent FUNDING  
24 RUSH, INC. fails to satisfy this condition in a timely manner as provided for herein, Respondent  
25 FUNDING RUSH, INC.'s real estate licenses shall automatically be suspended until payment is  
26 made in full, or until a decision proving otherwise is adopted following a hearing pursuant to this  
27 condition.

1 (ANDREW ADRIAN DIOLI)

2 I. STAYED SUSPENSION OF REAL ESTATE LICENSE

3 All licenses and licensing rights of Respondent ANDREW ADRIAN DIOLI  
4 under the Real Estate Law are suspended for a period of **thirty (30) days** from the effective date  
5 of this Decision; provided, however, that all thirty (30) days of said suspension shall be **stayed**  
6 upon the following terms and conditions:

7 1. Respondent ANDREW ADRIAN DIOLI shall pay a monetary penalty  
8 pursuant to Code section 10175.2 in the amount of **\$1,000.00**.

9 2. Said payment shall be in the form of a cashier's check made payable to the  
10 Department of real Estate. Said check must be delivered to the Department of Real Estate, Flag  
11 Section, 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective date of**  
12 **this Decision and Order.**

13 3. No further cause for disciplinary action against the real estate license of  
14 Respondent ANDREW ADRIAN DIOLI occurs within two (2) years from the effective date of  
15 this Decision in this matter.

16 4. If Respondent ANDREW ADRIAN DIOLI fails to pay the monetary  
17 penalty in accordance with the terms and conditions of the Decision, the suspension shall go into  
18 effect automatically with regard to said Respondent. Respondent shall not be entitled to any  
19 repayment nor credit, prorated or otherwise, for money paid to the Department under the terms  
20 of this Decision and Order.

21 5. If Respondent ANDREW ADRIAN DIOLI pays the monetary penalty and  
22 if no further cause for disciplinary action against the real estate license of said Respondent  
23 occurs within two (2) years from the effective date of the Decision, the stay hereby granted shall  
24 become permanent.

25 II. AUDIT COSTS

26 Pursuant to Code section 10148, Respondent ANDREW ADRIAN DIOLI shall,  
27 jointly and severally with Respondent FUNDING RUSH, INC., pay the Commissioner's

1 reasonable costs for the audit which led to this disciplinary action in the amount of **\$2,989.00**.  
2 Respondents shall pay such costs within sixty (60) days of receiving an invoice therefor from the  
3 Commissioner. Payment of the audit costs should not be made until Respondents receive the  
4 invoice. If Respondent ANDREW ADRIAN DIOLI fails to satisfy this condition in a timely  
5 manner as provided for herein, Respondent ANDREW ADRIAN DIOLI's real estate licenses  
6 shall automatically be suspended until payment is made in full, or until a decision providing  
7 otherwise is adopted following a hearing held pursuant to this condition.

### 8 III. SUBSEQUENT AUDIT COSTS


9 Pursuant to Code section 10148, Respondent ANDREW ADRIAN DIOLI shall,  
10 jointly and severally with Respondent FUNDING RUSH, INC., pay the Commissioner's  
11 reasonable costs, not to exceed **\$3,736.25**, for a subsequent audit to determine if Respondents  
12 have corrected the violations found in the Determination of Issues. In calculating the amount of  
13 the Commissioner's reasonable costs, the Commissioner may use the estimated average hourly  
14 salary for all persons performing audits of real estate brokers, and shall include an allocation for  
15 travel time to and from the auditor's place of work. Respondent ANDREW ADRIAN DIOLI  
16 shall pay such costs within sixty (60) days of receiving an invoice therefor from the  
17 Commissioner. If Respondent ANDREW ADRIAN DIOLI fails to satisfy this condition in a  
18 timely manner as provided for herein, Respondent ANDREW ADRIAN DIOLI's real estate  
19 licenses shall automatically be suspended until payment is made in full, or until a decision  
20 providing otherwise is adopted following a hearing held pursuant to this condition.

### 21 IV. INVESTIGATION AND ENFORCEMENT COSTS

22 Respondent ANDREW ADRIAN DIOLI shall pay, jointly and severally with  
23 Respondent FUNDING RUSH, INC., the sum of **\$1,982.30** for the Commissioner's reasonable  
24 costs of the investigation and enforcement that led to this disciplinary action. Said payment shall  
25 be in the form of a cashier's check made payable to the Department of Real Estate. The  
26 investigative and enforcement costs must be delivered to the Department of Real Estate, Flag  
27 Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective date of**

1 **this Decision and Order.** Payment of investigation and enforcement costs should not be made  
2 until the Stipulation has been approved by the Commissioner. If Respondent ANDREW  
3 ADRIAN DIOLI fails to satisfy this condition in a timely manner as provided for herein,  
4 Respondent ANDREW ADRIAN DIOLI's real estate licenses shall automatically be suspended  
5 until payment is made in full, or until a decision proving otherwise is adopted following a  
6 hearing pursuant to this condition.

7  
8 DATED: 04/23/2025

  
Kathy Yi, Counsel for  
Department of Real Estate

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10 \* \* \*

11 **EXECUTION OF THE STIPULATION**

12 Respondents have read the Stipulation, have discussed it with their counsel, and  
13 its terms are understood by Respondents and are agreeable and acceptable to Respondents.  
14 Respondents understand that Respondents are waiving rights given to them by the California  
15 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and  
16 11513 of the Government Code), and Respondents willingly, intelligently and voluntarily waive  
17 those rights, including the right of requiring the Commissioner to prove the allegations in the  
18 Accusation at a hearing at which Respondents would have the right to cross-examine witnesses  
19 against them and to present evidence in defense and mitigation of the charges.

20 Respondents agree, acknowledge, and understand that Respondents cannot  
21 rescind or amend this Stipulation and Agreement. By signing this Stipulation, Respondents  
22 understand and agree that Respondents may not withdraw Respondents' agreement or seek to  
23 rescind the Stipulation prior to the time the Commissioner considers and acts upon it or prior to  
24 the effective date of the Stipulation and Order.

25 Respondents can signify acceptance and approval of the terms and conditions of  
26 this Stipulation and Agreement by electronically e-mailing a copy of the signature page, as  
27 actually signed by Respondents, to the Department. Respondents agree, acknowledge, and



1 understand that by electronically sending to the Department an electronic copy of Respondents'  
2 actual signatures, as they appear on the Stipulation, that receipt of the emailed copy by the  
3 Department shall be as binding on Respondents as if the Department had received the original  
4 signed Stipulation. Alternatively, Respondents can signify acceptance and approval of the terms  
5 and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and  
6 Agreement to: Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite 350, Los  
7 Angeles, California 90013-1105.

8  
9 Dated:

4-15-2025

  
FUNDING RUSH, INC.

Respondent

By: Andrew Dioli

10  
11  
12  
13 Dated:

4-15-2025

  
ANDREW ADRIAN DIOLI

Respondent

14  
15  
16 \*\*\*


17 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to  
18 Respondents FUNDING RUSH, INC. and ANDREW ADRIAN DIOLI, individually and as  
19 Designated Officer of Funding Rush, Inc. and shall become effective at 12 o'clock noon on

20 AUG 19 2025

21 IT IS SO ORDERED

7/24/2025

22  
23 CHIKA SUNQUIST  
24 REAL ESTATE COMMISSIONER

25   
26 By: MARCUS L. McCARTHER  
27 Chief Deputy Real Estate Commissioner