

1 Department of Real Estate  
2 320 West Fourth Street, #350  
3 Los Angeles, California 90013

FILED  
JAN 12 2010  
DEPARTMENT OF REAL ESTATE

By C.2

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7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) No. H-36027 LA  
12 ) L-2009061309  
13 CRYSTAL JI HYUN YOON, )  
14 ) STIPULATION AND AGREEMENT  
15 Respondent. )

16 It is hereby stipulated by and between CRYSTAL JI HYUN YOON (sometimes  
17 referred to herein as "Respondent"), represented in this matter by Robert J. Reamer, Esq., and  
18 the Complainant, acting by and through Martha J. Rosett, Counsel for the Department of Real  
19 Estate, as follows for the purpose of settling and disposing of the Accusation filed on June 5,  
20 2009 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  
23 hearing was to be held in accordance with the provisions of the Administrative Procedure Act  
24 (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of  
25 this Stipulation and Agreement.  
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27

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  
3 of Real Estate in this proceeding.

4                   3.     On June 16, 2009, Respondent filed a Notice of Defense pursuant to  
5 Section 11506 of the Government Code for the purpose of requesting a hearing on the  
6 allegations in the Accusation. In order to effectuate this settlement, Respondent hereby freely  
7 and voluntarily withdraws said Notice of Defense. Respondent acknowledges that she  
8 understands that by withdrawing said Notice of Defense, she will thereby waive her right to  
9 require the Commissioner to prove the allegations in the Accusation at a contested hearing held  
10 in accordance with the provisions of the APA and that she will waive other rights afforded to  
11 her in connection with the hearing such as the right to present evidence in defense of the  
12 allegations in the Accusation and the right to cross-examine witnesses.

13                  4.     Respondent, pursuant to the limitations set forth below, although not  
14 admitting or denying the truth of the allegations, will not contest the factual allegations  
15 contained in the Accusation filed in this proceeding and the Real Estate Commissioner shall  
16 not be required to provide further evidence of such allegations.

17                  5.     It is understood by the parties that the Real Estate Commissioner may  
18 adopt the Stipulation and Agreement as his Decision 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 that the Commissioner in his discretion does not adopt the  
21 Stipulation and Agreement, it shall be void and of no effect, and Respondent shall retain the  
22 right to a hearing and proceeding on the Accusation under all the provisions of the APA and  
23 shall not be bound by any stipulation or waiver made herein.

24                  6.     The Order or any subsequent Order of the Real Estate Commissioner  
25 made pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar  
26 to any further administrative proceedings by the Department of Real Estate with respect to any  
27 matters which were not specifically alleged to be causes for accusation in this proceeding.

1           7.       This Stipulation and Respondent's decision not to contest the Accusation  
2 are made for the purpose of reaching an agreed disposition of this proceeding, and are expressly  
3 limited to this proceeding and any other proceeding or case in which the Department of Real  
4 Estate ("Department"), or another licensing agency of this state, another state, or of the federal  
5 government is involved, and otherwise shall not be admissible in any other criminal or civil  
6 proceedings.

7                               DETERMINATION OF ISSUES

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

11           The conduct, acts or omissions of Respondent CRYSTAL JI HYUN YOON, as  
12 set forth in the Accusation, constitute cause to suspend or revoke the real estate license and  
13 licensing rights of Respondent CRYSTAL JI HYUN YOON under the provisions of Business  
14 and Professions Code ("Code") Sections 10176(a), 10176(b), and 10176(i).

15                               ORDER

16           WHEREFORE, THE FOLLOWING ORDER is hereby made:

17           All licenses and licensing rights of Respondent CRYSTAL JI HYUN YOON  
18 under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson  
19 license shall be issued to Respondent pursuant to Section 10156.5 of the Business and  
20 Professions Code if Respondent makes application therefor and pays to the Department of Real  
21 Estate the appropriate fee for the restricted license within 90 days from the effective date of this  
22 Decision. The restricted license issued to Respondent shall be subject to all of the provisions of  
23 Section 10156.7 of the Business and Professions Code and to the following limitations,  
24 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

25           1.       The restricted license issued to Respondent may be suspended prior to  
26 hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or  
27

1 plea of nolo contendere to a crime which is substantially related to Respondent's fitness or  
2 capacity as a real estate licensee.

3           2.     The restricted license issued to Respondent may be suspended prior to  
4 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner  
5 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands  
6 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted  
7 license.

8           3.     Respondent shall not be eligible to apply for the issuance of an  
9 unrestricted real estate license nor for the removal of any of the conditions, limitations or  
10 restrictions of a restricted license until two years have elapsed from the effective date of this  
11 Decision.

12           4.     Respondent shall submit with any application for license under an  
13 employing broker, or any application for transfer to a new employing broker, a statement signed  
14 by the prospective employing real estate broker on a form approved by the Department of Real  
15 Estate which shall certify:

16           a.     That the employing broker has read the Decision of the Commissioner  
17 which granted the right to a restricted license; and

18           b.     That the employing broker will exercise close supervision over the  
19 performance by the restricted licensee relating to activities for which a real estate  
20 license is required.

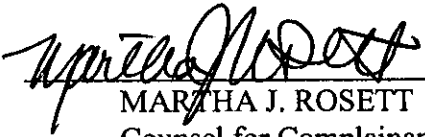
21           5.     Respondent shall, within nine months from the effective date of this  
22 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,  
23 since the most recent issuance of an original or renewal real estate license, taken and successfully  
24 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate  
25 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the  
26 Commissioner may order the suspension of the restricted license until the Respondent presents  
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1 such evidence. The Commissioner shall afford Respondent the opportunity for a hearing  
2 pursuant to the Administrative Procedure Act to present such evidence.

3 6. Respondent shall, within six months from the effective date of this  
4 Decision, take and pass the Professional Responsibility Examination administered by the  
5 Department including the payment of the appropriate examination fee. If Respondent fails to  
6 satisfy this condition, the Commissioner may order suspension of Respondent's license until  
7 Respondent passes the examination.

8 7. Respondent shall, within twelve months from the effective date of this  
9 Decision, submit proof satisfactory to the Commissioner of resolution of the claim against  
10 Respondent by Young Hee Kang in the amount of \$18,160.00 by payment of restitution,  
11 settlement or court judgment. If Respondent fails to satisfy this condition, the Commissioner  
12 may order suspension of Respondent's license until such time as she provides proof of  
13 satisfaction of this condition.

14  
15  
16 DATED: 11/19/09

  
17 MARTHA J. ROSETT  
18 Counsel for Complainant

19 \* \* \*

20 I have read the Stipulation and Agreement, have discussed it with counsel, and  
21 its terms are understood by me and are agreeable and acceptable to me. I understand that I am  
22 waiving rights given to me by the California Administrative Procedure Act (including but not  
23 limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly,  
24 intelligently and voluntarily waive those rights, including the right of requiring the  
25 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
26 right to cross-examine witnesses against me and to present evidence in defense and mitigation  
27 of the charges.

Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: Nov 16, 09

  
CRYSTAL JI HYUN YOON  
Respondent

DATED: Nov 16, 09

  
ROBERT J. REAMER, ESQ.  
Counsel for Respondent

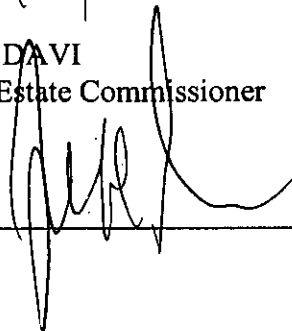
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The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on February 1, 2010.

IT IS SO ORDERED

12/16/09

JEFF DAVI  
Real Estate Commissioner



1 MARTHA J. ROSETT, Counsel (SBN 142072)  
2 Department of Real Estate  
3 320 West Fourth St. #350  
4 Los Angeles, CA 90013

FILED  
JUNE 5, 2009  
DEPARTMENT OF REAL ESTATE

By: CR

4 (213) 576-6982  
5 (213) 620-6430

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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 ) No. H-36027 LA  
12 )  
13 CRYSTAL JI HYUN YOON, ) A C C U S A T I O N  
14 )  
15 Respondent. )

16 The Complainant, Robin Trujillo, a Deputy Real Estate  
17 Commissioner, for cause of Accusation against CRYSTAL JI HYUN  
18 YOON, is informed and alleges as follows:

19 1.

20 The Complainant, Robin Trujillo, a Deputy Real Estate  
21 Commissioner of the State of California, makes this Accusation  
22 in her official capacity.

23 2.

24 Respondent CRYSTAL JI HYUN YOON ("YOON") is licensed  
25 by the Department of Real Estate ("Department") as a real estate  
26 salesperson. Respondent was first licensed by the Department  
27

1 as a salesperson on or about August 11, 2006.

2 3.

3 Between on or about August 22, 2006, and on or after  
4 August 6, 2007, Respondent YOON was licensed to act through The  
5 Real Estate Group Inc. ("TRG") as her employing broker.

6 4.

7 In June of 2007, Respondent YOON represented Young Hee  
8 Kang in purchasing property in a new development located at 2921  
9 Maricopa Street, Torrance, CA. On June 17, 2007, Respondent and  
10 Mrs. Kang visited the property and signed an "Agent/Broker-Client  
11 Registration Form," with the developer's representative.

12 5.

13 On or about June 23, 2007, Respondent, as an agent of  
14 TRG, signed a document calling for "Commission Sharing," in which  
15 Respondent agreed to share 3% with the Kangs, with Respondent  
16 receiving 1% and the Kangs receiving 2%. Respondent executed  
17 this agreement in order to induce the Kangs to proceed with the  
18 sale, and to use her as their agent. Respondent executed the  
19 agreement without the knowledge or authorization of her  
20 supervising broker.

21 6.

22 Escrow on the sale closed on or about July 31, 2007.  
23 After close of escrow, Respondent refused to honor the terms of  
24 the fee splitting agreement, and refused to pay the Kangs any  
25 portion of her commission. When her broker attempted to  
26  
27

1 intervene, Respondent resigned from the company.

2 7.

3 Respondent's conduct, as set forth above, in making  
4 false promises to influence, persuade or induce the Kangs to  
5 purchase property through her, constitutes grounds to revoke  
6 her real estate salesperson license pursuant to Code Sections  
7 10176(a), 10176(b), 10176(i) and/or 10177(j).

8 WHEREFORE, Complainant prays that a hearing be  
9 conducted on the allegations of this Accusation and that upon  
10 proof thereof, a decision be rendered imposing disciplinary  
11 action against all licenses and/or license rights of Respondent  
12 CRYSTAL JI HYUN YOON under the Real Estate Law and for such other  
13 and further relief as may be proper under other applicable  
14 provisions of law.

15 Dated at Los Angeles, California

16 this 3 day of June, 2009.

17  
18  
19   
20 Robin Trujillo  
21 Deputy Real Estate Commissioner  
22  
23  
24

25 cc: Crystal Ji Hyun Yoon  
26 Execs Venture Inc.  
27 Robin Trujillo  
Sacto.