

1 Bureau of Real Estate
320 West Fourth Street, Suite 350
2 Los Angeles, California 90013
3 (213) 576-6982

FILED
DEC 12 2017
BUREAU OF REAL ESTATE
By 

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-40754 LA
12)
13 ALYSSA CLAIRE JOHNSON,)
14 Respondent.) STIPULATION AND AGREEMENT
15)

16 It is hereby stipulated by and between ALYSSA CLAIRE JOHNSON
17 (“Respondent”) and the Complainant, acting by and through Michelle Nijm, Esq. as counsel, as
18 follows for the purpose of settling and disposing of the Accusation filed on August 30, 2017, in
19 this matter:

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

25 2. Respondent has received, read and understands the Statement to Respondent,
26 the Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate in
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1 this proceeding.

2 3. On or about September 8, 2017, Respondent filed a Notice of Defense
3 pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on
4 the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said
5 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said
6 Notice of Defense she will thereby waive her right to require the Real Estate Commissioner
7 (“Commissioner”) to prove the allegations in the Accusation at a contested hearing held in
8 accordance with the provisions of the APA and that she will waive other rights afforded to her
9 in connection with the hearing such as the right to present evidence in defense of the allegations
10 in the Accusation and the right to cross-examine witnesses.

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

14 5. Respondent understands that by agreeing to this Stipulation, Respondent
15 agrees to pay, pursuant to Section 10106 of the California Business and Professions Code
16 (“Code”), the costs of the investigation and enforcement which resulted in the determination
17 that Respondent committed the violations as set forth in the below “Determination of Issues.”
18 The amount of said costs is \$630.30.

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

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

4 DETERMINATION OF ISSUES

5 By reason of the foregoing stipulations, admissions and waivers and solely for
6 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and
7 agreed that the following determination of issues shall be made:

8 The conduct, acts or omissions of Respondent ALYSSA CLAIRE JOHNSON, as
9 set forth in the Accusation constitutes grounds for suspension or revocation of Respondent's real
10 estate license and license rights under the provisions of Sections 490 and 10177(b)(1) of the
11 Code.

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDER is hereby made:

14 All licenses and licensing rights of Respondent ALYSSA CLAIRE JOHNSON
15 under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson
16 license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent
17 makes application therefor and pays to the Bureau of Real Estate the appropriate fee for the
18 restricted license within 90 days from the effective date of this Decision. The restricted license
19 issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and
20 to the following limitations, conditions and restrictions imposed under authority of that Code:

21 1. The restricted license issued to Respondent may be suspended prior to hearing
22 by Order of the Commissioner in the event of Respondent's conviction or plea of nolo
23 contendere to a crime which is substantially related to Respondent's fitness or capacity as a real
24 estate licensee.

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

3 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
4 real estate license, nor for the removal of any of the conditions, limitations or restrictions of a
5 restricted license until five (5) years have elapsed from the effective date this Decision.

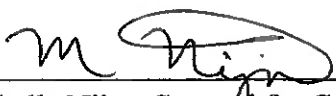
6 4. Respondent shall, within nine months from the effective date of this Decision,
7 present evidence satisfactory to the Commissioner that Respondent has, since the most recent
8 issuance of an original or renewal real estate license, taken and successfully completed the
9 continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal
10 of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order
11 the suspension of the restricted license until the Respondent presents such evidence. The
12 Commissioner shall afford Respondent the opportunity for a hearing pursuant to the APA to
13 present such evidence.

14 5. Respondent shall notify the Commissioner in writing within 72 hours of any
15 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, P.O. Box
16 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's arrest,
17 the crime for which Respondent was arrested and the name and address of the arresting law
18 enforcement agency. Respondent's failure to timely file written notice shall constitute an
19 independent violation of the terms of the restricted license and shall be grounds for the
20 suspension or revocation of that license.

21 6. Respondent shall, prior to the issuance of the restricted license, as a condition
22 of the issuance of said restricted license, pay the sum of \$630.30 for the Commissioner's
23 reasonable costs of the investigation and enforcement which led to this disciplinary action. Said
24 payment shall be in the form of a cashier's check made payable to the Bureau of Real Estate. The
25 investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section,
26 at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order. If
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1 Respondent fails to satisfy this condition, the Commissioner shall order the suspension of the
2 restricted license until the Respondent presents evidence of payment. The Commissioner shall
3 afford Respondent the opportunity for a hearing pursuant to the APA to present such evidence
4 that payment was timely made. The suspension shall remain in effect until payment is made in
5 full or until a decision providing otherwise is adopted following a hearing held pursuant to this
6 condition.

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9 DATED: 11/17/17



Michelle Nijm, Counsel for Complainant

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11 * * *


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

19 Respondent agrees, acknowledges and understands that by signing this
20 Stipulation and Agreement she is bound by its terms as of the date of such signature and that
21 such agreement is not subject to rescission or amendment at a later date except by a separate
22 Decision and Order of the Commissioner.

23 Respondent can signify acceptance and approval of the terms and conditions of
24 this Stipulation and Agreement by sending a hard copy of the original signed signature page(s)
25 of the Stipulation herein to Michelle Nijm, Legal Section, Bureau of Real Estate, 320 W. Fourth
26 Street, Suite 350, Los Angeles, California, 90013-1105.

1 In the event of time constraints before an administrative hearing, Respondent can
2 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement
3 by faxing or emailing a copy of the signature page, as actually signed by Respondent, to the
4 Bureau counsel assigned to this case. Respondent agrees, acknowledges and understands that by
5 electronically sending the Bureau a copy of Respondent's actual signature as it appears on the
6 Stipulation and Agreement that receipt of the copy by the Bureau shall be binding on
7 Respondent as if the Bureau had received the original signed Stipulation and agreement.

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10 DATED: 11/15/17



ALYSSA CLAIRE JOHNSON, Respondent

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14 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
15 this matter and shall become effective at 12 o'clock noon on **JAN 02 2018**

16 IT IS SO ORDERED 12/4/17.

17 WAYNE S. BELL
18 REAL ESTATE COMMISSIONER

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21 By: DANIEL J. SANDRI
22 Chief Deputy Commissioner