

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

FILED

APR 30 2019

DEPT. OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of

12 OCS REAL ESTATE SERVICES, INC and
13 JASON LANCE GRYDER, individually
14 and as designated office of OCS Real Estate
Services, Inc,

15 Respondents.

No. H-41131 LA
OAH No. 2018090593

STIPULATION AND AGREEMENT

As to Respondent Jason Lance Gryder
only

18 It is hereby stipulated by and between JASON LANCE GRYDER, (sometimes
19 referred to as "Respondent"), acting by and through his attorney Jeffrey S. Benice, Esq., and the
20 Complainant, acting by and through Judith B. Vasan, Counsel for the Department of Real Estate,
21 as follows for the purpose of settling and disposing of the Accusation ("Accusation") filed on
22 August 8, 2018, in this matter:

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

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1 2. Respondent has received, read and understands the Statement to Respondent,
2 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate
3 ("Department") in this proceeding.

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

12 4. This Stipulation is based on the factual allegations contained in the
13 Accusation. In the interest of expedience and economy Respondent chooses not to contest these
14 allegations but to remain silent and understands that, as a result thereof, these factual allegations,
15 without being admitted or denied, will serve as a prima facie basis for the disciplinary action
16 stipulated to herein. The Real Estate Commissioner shall not be required to provide evidence to
17 prove said factual allegations.

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

23 6. It is understood by the parties that the Real Estate Commissioner may adopt
24 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
25 Respondent's real estate license and license rights as set forth in the below "Order". In the event
26 that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall be
27 void and of no effect and Respondent shall retain the right to a hearing and proceed on the

STIPULATION AND AGREEMENT

1 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
2 made herein.

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

7 DETERMINATION OF ISSUES

8 By reason of the foregoing, it is stipulated and agreed that the following
9 determination of issues shall be made:

10 The conduct, acts or omissions of Respondent JASON LANCE GRyder, as set
11 forth in the Accusation, are a basis for discipline of Respondent's licenses and license rights as
12 violations of the Real Estate Law, Part 1 of Division 4 of the Code ("Code") sections 10159.2
13 (failure to supervise) and 10177(h) (failure to supervise) and Section 2725 (broker supervision)
14 of Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 All licenses and license rights of Respondent JASON LANCE GRyder under
19 the Real Estate Law are suspended for a period of thirty (30) days from the effective date of this
20 Decision; provided, however, that all thirty (30) days of said suspension shall be stayed upon the
21 following terms and conditions:

22 1. Respondent pays a monetary penalty pursuant to Section 10175.2 of the Code
23 at the rate of \$100.00 for each day of the suspension for a total monetary penalty of \$3,000.00.

24 2. Said payment shall be in the form of a cashier's check or certified check made
25 payable to the Department of Real Estate. Said check must be received by the Department of
26 Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the
27 effective date of this Decision and Order.

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1 3. No further cause for disciplinary action against the real estate license of
2 Respondent occurs within one (1) year from the effective date of the Decision in this matter.

3 4. If Respondent fails to pay the monetary penalty in accordance with the terms
4 and conditions of the Decision, the suspension shall go into effect automatically with regard to
5 said Respondent. In that event, Respondent shall not be entitled to any repayment nor credit,
6 prorated or otherwise, for money paid to the Department under the terms of this Decision and
7 Order.

8 5. If Respondent pays the monetary penalty and if no further cause for
9 disciplinary action against the real estate license of Respondent occurs within one (1) year from
10 the effective date of the Decision, the stay hereby granted shall become permanent.

11 II.

12 Pursuant to Code Section 10148, Respondent shall pay the Commissioner's
13 reasonable costs for the audit which led to this disciplinary action in the amount of \$5,447.22.
14 Respondent is jointly and severally liable with Respondent OCS Real Estate Services, Inc. for
15 the costs of the audit. Respondent shall pay such costs within sixty (60) days of receiving an
16 invoice therefore from the Commissioner. Payment of the audit costs should not be made until
17 Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner
18 as provided for herein, Respondent's real estate license(s) shall automatically be suspended until
19 payment is made in full, or until a decision providing otherwise is adopted following a hearing
20 held pursuant to this condition.

21 III.

22 All licenses and license rights of Respondent are indefinitely suspended unless or
23 until Respondent pays the sum of \$2,966.55 for the Commissioner's reasonable costs of the
24 investigation and enforcement, which led to this disciplinary action. Respondent is jointly and
25 severally liable with Respondent OCS Real Estate Services, Inc. for the costs of the
26 investigation and enforcement. Said payment shall be in the form of a cashier's check made
27 payable to the Department of Real Estate. The investigative and enforcement costs must be

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1 delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA
2 95813-7013, prior to the effective date of this Decision and Order.

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4
5 DATED: 3-26-2019

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7 Judith B. Vasan, Counsel for
8 Department of Real Estate

9 * * *

10 EXECUTION OF THE STIPULATION

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

18 Respondent shall mail the original signed signature page of the stipulation herein
19 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,
20 Suite 350, Los Angeles, California 90013-1105.

21 In the event of time constraints before an administrative hearing, Respondents can
22 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement
23 by emailing a scanned copy of the signature page, as actually signed by Respondents, to the
24 Department counsel assigned to this case. Respondents agree, acknowledge and understand that
25 by electronically sending the Department a scan of Respondents' actual signature as it appears on
26 the Stipulation and Agreement that receipt of the scan by the Department shall be binding on
27 Respondent as if the Department had received the original signed Stipulation. Respondents shall
also mail the original signed signature page of this Stipulation to the Department counsel.

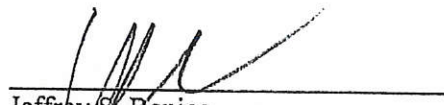
STIPULATION AND AGREEMENT

1 Respondent's signature below constitutes acceptance and approval of the terms
2 and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by
3 signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and
4 that this agreement is not subject to rescission or amendment at a later date except by a separate
5 Decision and Order of the Real Estate Commissioner.

6
7 DATED: 3/26/19


JASON LANCE GRYDER
Respondent

10
11 DATED: 3/26/19


Jeffrey S. Benice
Counsel for Respondent
Approved as to Form

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15 * * *

16 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
17 Respondent JASON LANCE GRYDER and shall become effective at 12 o'clock noon on

18 MAY 20 2019

19 IT IS SO ORDERED April 22, 2019

20 DANIEL J. SANDRI
21 ACTING REAL ESTATE COMMISSIONER

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27 STIPULATION AND AGREEMENT