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FILED
MAY 06 2022
DEPT. OF REAL ESTATE
By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-41778 LA
)	
OREGON TRAIL CORPORATION and)	<u>STIPULATION AND AGREEMENT</u>
CHRISTOPHER MARK,)	
individually and as designated officer of)	
Oregon Trail Corporation,)	
)	
Respondents.)	
)	

It is hereby stipulated by and between Respondent OREGON TRAIL CORPORATION and Respondent CHRISTOPHER MARK, individually and as designated officer of Oregon Trail Corporation (“Respondents”), represented by Mary E. Work, and the Complainant, acting by and through Steve Chu, Counsel for the Department of Real Estate (“Department”), as follows for the purpose of settling and disposing of the Accusation filed on September 11, 2020, in this matter:

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

1 2. Respondents have received, read, and understand 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 September 24, 2020, Respondents filed Notices of Defense pursuant
5 to section 11506 of the Government Code for the purpose of requesting a hearing on the
6 allegations in the Accusation. Respondents hereby freely and voluntarily withdraw said Notices
7 of Defense. Respondents acknowledge that Respondents understand that by withdrawing said
8 Notices of Defense, Respondents will thereby waive Respondents' right to require the Real
9 Estate Commissioner ("Commissioner") to prove the allegations in the Accusation at a
10 contested hearing held in accordance with the provisions of the APA and that Respondents will
11 waive other rights afforded to Respondents in connection with the hearing such as the right to
12 present evidence in defense of the allegations in the Accusation and the right to cross-examine
13 witnesses.

14 4. This Stipulation is based on the factual allegations contained in the
15 Accusation filed in this proceeding. In the interests of expedience and economy, Respondents
16 choose not to contest these allegations, but to remain silent and understand that, as a result
17 thereof, these factual allegations will serve as a prima facie basis for the disciplinary action
18 stipulated to herein. The Real Estate Commissioner shall not be required to provide further
19 evidence to prove such factual allegations.

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

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

5 DETERMINATION OF ISSUES

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

9 I.

10 The conduct, acts, and/or omissions of Respondent OREGON TRAIL
11 CORPORATION, as described in the Accusation, are in violation of California Business and
12 Professions Code ("Code") sections 10176(a), 10176(c), 10176(i), 10177(d), 10177(g), and
13 10177(j), and constitute cause for the suspension or revocation of all real estate licenses, license
14 endorsements, and license rights of Respondent OREGON TRAIL CORPORATION under
15 Code sections 10166.051(a), 10176(a), 10176(c), 10176(i), 10177(d), 10177(g), and 10177(j).

16 II.

17 The conduct, acts, and/or omissions of Respondent CHRISTOPHER MARK, as
18 described in the Accusation, are in violation of Code sections 10176(a), 10176(c), 10176(i),
19 10177(d), 10177(g), and 10177(j), and constitute cause for the suspension or revocation of all
20 real estate licenses, license endorsements, and license rights of Respondent CHRISTOPHER
21 MARK under Code sections 10166.051(a), 10176(a), 10176(c), 10176(i), 10177(d), 10177(g),
22 and 10177(j).

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ORDER

I.

All licenses and licensing rights of Respondent OREGON TRAIL CORPORATION under the Real Estate Law are revoked; provided, however, a restricted corporate real estate broker license and restricted company mortgage loan originator license endorsement shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions, and restrictions imposed under Section 10156.6 of the Code:

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

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

3. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license, including designated officer or mortgage loan originator endorsement, nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the effective date of this Decision and Order. Respondent withdraws all pending license applications.

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1 4. All licenses and licensing rights of Respondent OREGON TRAIL
2 CORPORATION are indefinitely suspended unless or until Respondent OREGON TRAIL
3 CORPORATION pays, jointly and severally with Respondent CHRISTOPHER MARK, the
4 sum of \$5,785.98 for the Commissioner's reasonable cost of the investigation and enforcement
5 which led to this disciplinary action. Said payment shall be in the form of a cashier's check
6 made payable to the Department of Real Estate. The investigative and enforcement costs must
7 be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento,
8 CA 95813-7013, prior to the effective date of this Decision and Order.

9 II.

10 All licenses and licensing rights of Respondent CHRISTOPHER MARK under
11 the Real Estate Law are revoked; provided, however, a restricted real estate broker license,
12 restricted real estate designated officer license, and restricted individual mortgage loan
13 originator license endorsement shall be issued to Respondent pursuant to Section 10156.5 of the
14 Code if Respondent makes application therefor and pays to the Department the appropriate fee
15 for the restricted license within ninety (90) days from the effective date of this Decision. The
16 restricted license issued to Respondent shall be subject to all of the provisions of
17 Section 10156.7 of the Code and to the following limitations, conditions, and restrictions
18 imposed under Section 10156.6 of the Code:

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


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

1 3. Respondent shall not be eligible to apply for the issuance of an
2 unrestricted real estate license, including designated officer or mortgage loan originator
3 endorsement, nor for the removal of any of the conditions, limitations or restrictions of a
4 restricted license until two (2) years have elapsed from the effective date of this Decision and
5 Order. Respondent withdraws all pending license applications.

6 4. Respondent shall, within six (6) months from the effective date of this
7 Decision and Order, take and pass the Professional Responsibility Examination administered by
8 the Department including the payment of the appropriate examination fee. If Respondent fails
9 to satisfy this condition, all of Respondent's real estate licenses and license rights shall
10 automatically be suspended until Respondent passes the examination.

11 5. All licenses and licensing rights of Respondent CHRISTOPHER MARK
12 are indefinitely suspended unless or until Respondent CHRISTOPHER MARK pays, jointly
13 and severally with Respondent OREGON TRAIL CORPORATION, the sum of \$5,785.98 for
14 the Commissioner's reasonable cost of the investigation and enforcement which led to this
15 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
16 Department of Real Estate. The investigative and enforcement costs must be delivered to the
17 Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013,
18 prior to the effective date of this Decision and Order.

19
20 DATED: 3-24-2022



Steve Chu, Counsel
Department of Real Estate

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We have read the Stipulation and Agreement. We understand that we are waiving rights given to us by the California Administrative Procedure Act, (including but not limited to sections 11521 and 11523 of the Government Code), and we willingly, intelligently, and voluntarily waive those rights, including the right to seek reconsideration and the right to seek judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

We agree, acknowledge, and understand that we cannot rescind or amend this Stipulation and Agreement.

We can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement or a copy faxed to (213) 576-6917 by February 11, 2022; if not, this Stipulation and Agreement is invalid and void because the sum for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action will increase.

DATED: 2/8/22



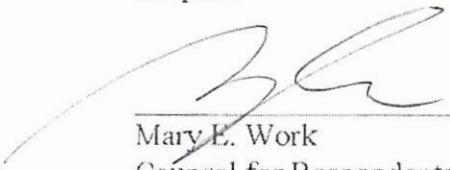
OREGON TRAIL CORPORATION
Respondent
By CHRISTOPHER MARK, as designated
officer of Oregon Trail Corporation

DATED: 2/8/22



CHRISTOPHER MARK
Respondent

DATED: 2/12/2022



Mary E. Work
Counsel for Respondents
Approved as to Form

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The foregoing Stipulation and Agreement is hereby adopted by me as my
Decision in this matter as to Respondent OREGON TRAIL CORPORATION and Respondent
CHRISTOPHER MARK, and shall become effective at 12 o'clock noon on

5/26/2022.

IT IS SO ORDERED 4.8.22

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

