

1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013
4 (213) 576-6982

FILED

NOV 06 2020

DEPT. OF REAL ESTATE

By *Julie L. To*

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-41816 LA
12 SEAN LANDON,))
13 Respondent.))
14))

15 It is hereby stipulated by and between SEAN LANDON (hereinafter
16 "Respondent"), and the Complainant, acting by and through Julie L. To, counsel for the
17 Department of Real Estate ("DRE" or "Department") as follows for the purpose of settling and
18 disposing of the investigation in DRE Case No. 419-0524-010 in this matter:

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

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27 DRE Stipulation & Agreement

1 2. Respondent is aware of the Department's pending investigation in Case No.
2 419-0524-010 and stipulates that the Real Estate Commissioner has found grounds that justify
3 the revocation or suspension of his unrestricted real estate salesperson license. Respondent
4 agrees that there are grounds to revoke or suspend his real estate salesperson license pursuant to
5 California Business and Professions Code Sections 490 and 10177(b) for his violation of
6 California Penal Code ("PC") Section 273.5 (corporal injury to spouse/cohabitant/child's
7 parent), a misdemeanor, on October 7, 2019 in Los Angeles County Case No. 9AR22259: The
8 People of the State of California v. Sean Matthew Landon.

9 3. Respondent understands that by his signing of this Stipulation and Agreement,
10 provided this Stipulation and Agreement is accepted and signed by the Real Estate
11 Commissioner, the Real Estate Commissioner will not file an Accusation based on the grounds
12 herein, and thereby waives his right to require the Commissioner to prove the allegations in the
13 Accusation at a contested hearing held in accordance with the provisions of the APA and that he
14 will waive other rights afforded to him in connection with the hearing such as the right to
15 present evidence in defense of the allegations in the Accusation, the right to cross-examine
16 witnesses, and the right to present evidence to establish rehabilitation.

17 4. Respondent understands that by agreeing to this Stipulation and Agreement,
18 Respondent agrees to pay, pursuant to Section 10106 of the California Business and Professions
19 Code (Code), the cost of the investigation and enforcement which resulted in the determination
20 that Respondent committed the violations found in the Determination of Issues. The amount of
21 said costs is \$600.01

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

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

8 DETERMINATION OF ISSUES

9 By reason of the foregoing stipulations, admissions and waivers and solely for
10 the purpose of settlement of the pending investigation without an Accusation and hearing, it is
11 stipulated and agreed that the following determination of issues shall be made:

12 The conduct of Respondent, as set forth above, specifically Respondent's
13 October 7, 2019 misdemeanor conviction in Los Angeles County Case No. 9AR22259 for his
14 violation of PC 273.5 constitutes grounds for the suspension or revocation of Respondent's real
15 estate salesperson license under the provisions of Sections 490 and 10177(b) of the Business
16 and Professions Code.

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1 ORDER

2 WHEREFORE, THE FOLLOWING ORDER is hereby made:

3 All licenses and licensing rights of Respondent SEAN LANDON under the Real
4 Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be
5 issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if
6 Respondent makes application therefor and pays to the Department of Real Estate the
7 appropriate fee for the restricted license within ninety (90) days from the effective date of this
8 Decision. The restricted license issued to Respondent shall be subject to all of the provisions of
9 Section 10156.7 of the Business and Professions Code and to the following limitations,
10 conditions and restrictions imposed under authority of that Code:

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

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

20 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
21 real estate license nor for the removal of any of the conditions, limitations or restrictions
22 of a restricted license until two (2) years have elapsed from the effective date of this Decision.

23 4. Respondent shall submit with any application for license under an employing
24 broker, or any application for transfer to a new employing broker, a statement signed by the
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DRE Stipulation & Agreement

1 prospective employing broker on a form approved by the Department of Real Estate which shall
2 certify:

3 (a) That the employing broker has read the Decision of the Commissioner which
4 granted the right to a restricted license; and

5 (b) That the employing broker will exercise close supervision over the
6 performance by the restricted licensee relating to activities for which a real estate
7 license is required.

8 5. Respondent shall, within twelve (12) months from the effective date of this
9 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
10 since the most recent issuance of an original or renewal real estate license, taken and
11 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
12 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
13 Respondent's real estate license shall automatically be suspended until Respondent presents
14 evidence satisfactory to the Commissioner of having taken and successfully completed the
15 continuing education requirements. Proof of completion of the continuing education courses
16 must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
17 Sacramento, CA 95813-7013.

18 6. Respondent shall, prior to the issuance of the restricted license and as a
19 condition of the issuance of said restricted license, pay the sum of \$600.01 for the
20 Commissioner's reasonable cost of the investigation and enforcement which led to this
21 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
22 Department of Real Estate. The investigative and enforcement costs must be delivered to the
23 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior
24 to the effective date of this Order.

1 (a) If Respondent fails to satisfy this condition, the Commissioner shall
2 order the suspension of the restricted license until the Respondent presents evidence of payment.
3 The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the
4 Administrative Procedure Act to present such evidence that payment was timely made. The
5 suspension shall remain in effect until payment is made in full or until a decision providing
6 otherwise is adopted following a hearing held pursuant to this condition.

7 7. Respondent shall notify the Commissioner in writing within seventy-two (72)
8 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real
9 Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date
10 of Respondent's arrest, the crime for which Respondent was arrested, and the name and address
11 of the arresting law enforcement agency. Respondent's failure to timely file written notice shall
12 constitute an independent violation of the terms of the restricted license and shall be grounds for
13 the suspension or revocation of that license.

14 DATED: 9-27-20



Julie L. To, Counsel for Complainant


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

24 Respondent shall send a hard copy of the original signed Stipulation and
25 Agreement to: Julie L. To, Department of Real Estate, 320 West Fourth Street, Suite 350, Los
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1 Angeles, CA 90013. Respondent can signify acceptance and approval of the terms and
2 conditions of this Stipulation and Agreement by emailing a scanned copy of the signature page,
3 as actually signed by Respondent, to the Department counsel assigned to this case. Respondent
4 agrees, acknowledges and understands that by electronically sending the Department a scan of
5 Respondent's actual signature as it appears on the Stipulation and Agreement, that receipt of the
6 scan by the Department shall be binding on Respondent as if the Department had received the
7 original signed Stipulation and Agreement.

8 DATED: 09/15/2020



SEAN LANDON, Respondent

9 * * *

10 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
11 this matter and shall become effective at 12 o'clock noon on DEC 07 2020.

12 IT IS SO ORDERED 10.20.20.

14 REAL ESTATE COMMISSIONER

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17 DOUGLAS R. McCAULEY

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