

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

FILED

JAN 27 2022

DEPT. OF REAL ESTATE

By *[Signature]*

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

9 * * *

10) No. H-41838 LA
11)
12) **RYAN THOMAS CASSIDY**) **STIPULATION**
13) **and**) **AND**
14) **ERIC DOUGLAS WINSLOW,**) **AGREEMENT**
15)
16) **Respondents.**)
17)

18 It is hereby stipulated by and between Respondent RYAN THOMAS CASSIDY
19 ("Respondent" or "CASSIDY"), represented by Frank M. Buda, Esq./Law Office of Frank M.
20 Buda, and the Complainant, acting by and through Julie L. To, Counsel for the Department of
21 Real Estate ("Department" or "DRE"), as follows for the purpose of settling and disposing of the
22 Accusation ("Accusation") filed on December 4, 2020 in this matter:

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27 H-41838 LA: Stipulation & Agreement (Ryan Thomas Cassidy)

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

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

9 3. On December 23, 2020, Respondent filed his Notice of Defense pursuant to
10 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations
11 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
12 Respondent acknowledges that Respondent understands that by withdrawing said Notice of
13 Defense, Respondent will thereby waive Respondent's right to require the Commissioner
14 ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in
15 accordance with the provisions of the APA, and that Respondent will waive other rights afforded
16 to Respondent in connection with the hearing such as the right to present evidence in his defense
17 and the right to cross-examine witnesses.

18 4. This Stipulation is based on the factual allegations contained in the Accusation.
19 In the interest of expedience and economy, Respondent chooses not to contest these allegations,
20 but to remain silent, and understands that, as a result thereof, these factual statements will serve
21 as a prima facie basis for the violations and disciplinary action set forth below. The
22 Commissioner shall not be required to provide further evidence to prove said factual allegations.

23 5. This Stipulation and Respondent's decision not to contest the Accusation is
24 made for the purpose of reaching an agreed disposition of this proceeding and is expressly
25 limited to this proceeding and any other proceeding or case in which the Department, the state or
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1 federal government, an agency of this state, or an agency of another state is involved.

2 Respondent further understands that the sustained violations may be considered in any future
3 administrative or disciplinary matters by the Department.

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

11 7. The Order or any subsequent Order of the Real Estate Commissioner made
12 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
13 administrative or civil proceedings by the Department of Real Estate with respect to any matters
14 which were not specifically alleged to be causes for Accusation in this proceeding but do
15 constitute a bar, estoppel and merger as to any allegations actually contained in the Accusation
16 against Respondent herein.

17 8. Respondent understands that by agreeing to this Stipulation, Respondent agrees
18 to pay the Commissioner's cost of the investigation and enforcement ("investigative costs")
19 which resulted in the determination that Respondent committed the violation found in the
20 Determination of Issues, pursuant to Code Section 10106. The amount of said investigative costs
21 is \$7,481.10 (comprised of \$5,513.10 in investigation costs and \$1,968.00 in enforcement costs);
22 therefore, Respondent agrees to pay, pursuant to Code Section 10106, the amount \$7,481.10. The
23 investigative costs must be delivered to the Department of Real Estate, Flag Section at P.O. Box
24 137013, Sacramento, CA 95813-7013 prior to the effective date of this Decision and Order.

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1 4. Respondent shall submit with any application for license under an employing
2 broker, or any application for transfer to a new employing broker, a statement signed by the
3 prospective employing broker on a form approved by the Department of Real Estate which shall
4 certify:

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

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

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

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1 I have read the Stipulation and Agreement, and its terms are understood by me
2 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the
3 California Administrative Procedure Act, and I willingly, intelligently and voluntarily waive
4 those rights, including the right of requiring the Commissioner to prove the allegations in the
5 Accusation at a hearing at which I would have the right to cross-examine witnesses against me
6 and to present evidence in defense and mitigation of the charges.


7 11.22.2021
8 Dated


9 RYAN THOMAS CASSIDY, Respondent

10 * * *

11 *I have reviewed the Stipulation and Agreement as to form and content and have*
12 *advised my client accordingly.*

13 11.24.21
14 Dated


15 Frank M. Buda, Esq.,
16 Attorney for Respondent

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18 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
19 **RYAN THOMAS CASSIDY** in this matter and shall become effective at 12 o'clock noon on
20 **FEB 28 2022**, 2021.

21 IT IS SO ORDERED 1.14.22, 2021

22 REAL ESTATE COMMISSIONER

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24 
25 DOUGLAS R. McCAULEY