

1 Department of Real Estate  
2 320 W. 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

**FILED**

**JUL 18 2023**

**DEPT. OF REAL ESTATE**

By 

**DEPARTMENT OF REAL ESTATE**

**STATE OF CALIFORNIA**

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11 In the Matter of the Accusation of

) DRE No. H-42175 LA

12 NATIONWIDE REAL ESTATE EXECUTIVES )  
13 INC., DARYL ROBERT OWEN, individually )  
14 and as designated officer of Nationwide Real )  
15 Estate Executives, Inc., and TIMOTHY )  
16 HASSLER OYLER, )

**STIPULATION AND AGREEMENT  
IN SETTLEMENT AND ORDER**

Respondents.

17 It is hereby stipulated by and between Respondents NATIONWIDE REAL  
18 ESTATE EXECUTIVES INC., DARYL ROBERT OWEN, and TIMOTHY HASSLER OYLER  
19 (collectively "Respondents") and their attorney of record, Ari Markow of Manning Kass, and the  
20 Complainant, acting by and through Kevin H. Sun, Counsel for the Department of Real Estate, as  
21 follows for the purpose of settling and disposing of the Accusation filed on January 12, 2022, in  
22 this matter (Case No. H-42175 LA):

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

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2. Respondents have received, read and understand the Statement to Respondents, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate in this proceeding.

3. On or about January 28, 2022, Respondents filed Notices of Defense pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense. Respondents acknowledge that they understand that by withdrawing said Notices of Defense they will thereby waive their rights to require the Commissioner to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that they will waive other rights afforded to them in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

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

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

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

1 made herein.

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

6 **DETERMINATION OF ISSUES**

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

10 The conduct of Respondents, as described in the Accusation, are in violation of  
11 California Business and Professions Code ("Code") 10137, 10159.2, and 10164 and Title 10,  
12 Chapter 6, California Code of Regulations ("Regulations") Sections 2725, and are grounds for the  
13 suspension or revocation of all of the real estate license and license rights of Respondents under the  
14 provision of Code Section 10177(d), (g), and (h) (as to DARYL ROBERT OWEN and TIMOTHY  
15 HASSLER OYLER).

16 **ORDER**

17 WHEREFORE, THE FOLLOWING ORDER is hereby made:

18 I.

19 (NATIONWIDE REAL ESTATE EXECUTIVES INC.)

20 All licenses and license rights of Respondent NATIONWIDE REAL ESTATE  
21 EXECUTIVES INC. under the Real Estate Law are suspended for a period of ninety (90) days  
22 from the effective date of this Decision;

23 A. The ninety (90) day suspension shall be stayed for two (2) years upon the  
24 following terms and conditions:

- 25 1. That Respondent shall obey all laws, rules and regulations governing the
- 26 rights, duties and responsibilities of a real estate licensee in the State of California; and
- 27 2. That no final subsequent determination be made after hearing or upon

1 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date  
2 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,  
3 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should  
4 no such determination be made under this section, the stay imposed herein shall become permanent.

5 II.

6 (DARYL ROBERT OWEN)

7 All licenses and license rights of Respondent DARYL ROBERT OWEN under the  
8 Real Estate Law are suspended for a period of ninety (90) days from the effective date of this  
9 Decision;

10 A. The ninety (90) day suspension shall be stayed for two (2) years upon the  
11 following terms and conditions:

12 1. That Respondent shall obey all laws, rules and regulations governing the  
13 rights, duties and responsibilities of a real estate licensee in the State of California; and

14 2. That no final subsequent determination be made after hearing or upon  
15 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date  
16 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,  
17 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should  
18 no such determination be made under this section, the stay imposed herein shall become permanent.

19 B. Respondent shall, within six (6) months from the effective date of this  
20 Order, take and pass the Professional Responsibility Examination administered by the Department  
21 of Real Estate including the payment of the appropriate examination fee. If Respondent fails to  
22 satisfy this condition, Respondent real estate license shall automatically be suspended until  
23 Respondent passes the examination.

24 III.

25 (TIMOTHY HASSLER OYLER)

26 All licenses and license rights of Respondent TIMOTHY HASSLER OYLER under  
27 the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this

1 Decision;

2 A. The ninety (90) day suspension shall be stayed for two (2) years upon the  
3 following terms and conditions:

4 1. That Respondent shall obey all laws, rules and regulations governing the  
5 rights, duties and responsibilities of a real estate licensee in the State of California; and


6 2. That no final subsequent determination be made after hearing or upon  
7 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date  
8 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,  
9 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should  
10 no such determination be made under this section, the stay imposed herein shall become permanent.

11 IV.

12 (NATIONWIDE REAL ESTATE EXECUTIVES INC., DARYL ROBERT OWEN, and  
13 TIMOTHY HASSLER OYLER)

14 A. All licenses and licensing rights of Respondents are indefinitely suspended unless  
15 or until Respondents pay the sum of \$7,984.10 for the Commissioner's reasonable costs of the  
16 investigation and enforcement which led to this disciplinary action. Said payment shall be in the  
17 form of a cashier's check made payable to the Department of Real Estate. **The payment for the**  
18 **investigative and enforcement costs must be delivered to the Department of Real Estate, Flag**  
19 **Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this**  
20 **Decision and Order.** If Respondents fail to satisfy this condition, the Commissioner shall order  
21 suspension of Respondents' licenses and license rights until the sum is paid.

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24 DATED: 6/5/2023

  
Kevin H. Sun, Counsel for  
Department of Real Estate

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**EXECUTION OF THE STIPULATION**

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

Respondents shall mail the original signed signature page of the stipulation herein to Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105.

In the event of time constraints before an administrative hearing, Respondents can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by emailing a scanned copy of the signature page, as actually signed by Respondents, to the Department counsel assigned to this case. Respondents agree, acknowledge and understand that by electronically sending the Department a scan of Respondents' actual signature as it appears on the Stipulation and Agreement that receipt of the scan by the Department shall be binding on Respondents 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.

Respondents' signatures below constitute acceptance and approval of the terms and conditions of this Stipulation. Respondents agree, acknowledge and understand that by signing this Stipulation, Respondents are bound by its terms as of the date of such signatures and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.

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DATED: 06/05/2023

*Daryl Owen*

NATIONWIDE REAL ESTATE EXECUTIVES INC.  
Respondent  
By: \_\_\_\_\_

DATED: 06/05/2023

*Daryl Owen*

DARYL ROBERT OWEN  
Respondent

DATED: 06/05/2023

*Timothy H Oyler*

TIMOTHY HASSLER OYLER  
Respondent

DATED: June 5, 2023



Ari Markow, Esq.  
Manning Kass  
Counsel for Respondents  
Approved as to Form

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondents NATIONWIDE REAL ESTATE EXECUTIVES INC., DARYL ROBERT OWEN, and TIMOTHY HASSLER OYLER in this matter and shall become effective at 12 o'clock noon on August 8, 2023.

IT IS SO ORDERED T. 12-23, 2023.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

