

1 Department of Real Estate
320 West Fourth Street, #350
2 Los Angeles, California 90013

3 (213) 576-6982

FILED

OCT 25 2022

DEPT. OF REAL ESTATE

By *[Signature]*

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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-42216 LA
12)
13 JEREMY RYAN BURAGLIA,) STIPULATION AND AGREEMENT
14)
15 Respondent.)

16 It is hereby stipulated by and between JEREMY RYAN BURAGLIA (hereinafter
17 "Respondent"), representing himself, and the Complainant, acting by and through Julie L. To,
18 counsel for the Department of Real Estate, as follows for the purpose of settling and disposing
19 of the Accusation filed on February 28, 2022 in Case No. H-42216 LA, in this matter:

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

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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 in this proceeding.

4 3. On March 14, 2022, Respondent filed a Notice of Defense pursuant to Section
5 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the
6 Accusation. Respondent hereby withdraws said Notice of Defense. Respondent acknowledges
7 that he understands that by withdrawing said Notice of Defense he will thereby waive his right
8 to require the Commissioner to prove the allegations in the Accusation at a contested hearing
9 held in accordance with the provisions of the APA and that he will waive other rights afforded
10 to him in connection with the hearing such as the right to present evidence in defense of the
11 allegations in the Accusation and the right to cross-examine witnesses.

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

18 5. Respondent understands that by agreeing to this Stipulation and Agreement,
19 Respondent agrees to pay, pursuant to Section 10106 of the California Business and Professions
20 Code (Code), the cost of the investigation and enforcement which resulted in the determination
21 that Respondent committed the violations found in the Determination of Issues. The amount of
22 said costs is \$1,415.60 (comprised of \$1,041.20 in investigation costs and \$374.40 in
23 enforcement costs) The Real Estate Commissioner agrees that Respondent's agreement to pay
24 the amount of the investigation and enforcement costs in this case, \$1,415.60, shall be deemed
25 as satisfaction of his payment of the costs pursuant to Code Section 10106.

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

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

12 DETERMINATION OF ISSUES

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

16 Respondent's misdemeanor convictions for violations of Penal Code ("PC")
17 Section 529(a)(2) (false personation) and Section 182(a)(5) (conspiracy to commit act injurious
18 to the public) in Orange County Case No. OCSO 19-018813 (The People of the State of
19 California vs. Jeremy Ryan Buraglia [and one co-defendant]) constitute grounds for the
20 suspension or revocation of Respondent's real estate salesperson license under the provisions of
21 **Business and Professions Code Sections 490 and 10177(b).**

22 Respondent's failure to timely report the felony complaint filed against him in
23 Orange County Case No. OCSO 19-018813 (The People of the State of California vs. Jeremy
24 Ryan Buraglia [and one co-defendant]) (filed June 17, 2020) and Respondent's failure to timely
25 report the resulting conviction (conviction date: August 4, 2020), constitute grounds for the
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1 suspension or revocation of Respondent's real estate salesperson license under the provisions of
2 **Business and Professions Code Section 10186.2.**

3 ORDER

4 WHEREFORE, THE FOLLOWING ORDER is hereby made:

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

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

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

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

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
6 which 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
9 estate 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 successfully
13 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
14 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
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.

20 6. Respondent shall, prior to the issuance of the restricted license and as a
21 condition of the issuance of said restricted license, pay the sum of \$1,415.60 for the
22 Commissioner's reasonable cost of the investigation and enforcement which led to this
23 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the
24 Department of Real Estate. The investigative and enforcement costs must be delivered to the
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1 Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, prior
2 to the effective date of this Order.

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

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

16 DATED: 10-4-22

17 
18 Julie L. To, Counsel for Complainant

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

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Respondent shall send a hard copy of the original signed Stipulation and Agreement to: Julie L. To, Legal Section, Department of Real Estate, 320 West Fourth Street, Suite 350, Los Angeles, CA 90013. In the event of time constraints before an administrative hearing, Respondent 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 Respondent, to the Department counsel assigned to this case. Respondent agrees, acknowledges and understands that by electronically sending the Department a scan of Respondent's actual signature as it appears on the Stipulation and Agreement, that receipt of the scan by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

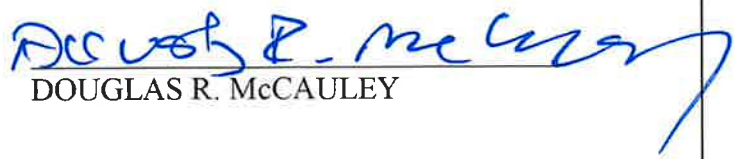
DATED: 9-29-2022 
JEREMY RYAN BURAGLIA, Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on NOV 28 2022.

IT IS SO ORDERED 10.18.22

REAL ESTATE COMMISSIONER


DOUGLAS R. McCAULEY