

**FILED**

**SEP 20 2022**

**DEPT. OF REAL ESTATE**

By \_\_\_\_\_

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of Accusation	)	No. H-42319 LA
	)	
OUTFIT REALTY, INC.; and	)	
	)	
<u>RICHARD JOSEPH MINOGUE</u> , individually and	)	
as designated officer of Outfit Realty, Inc.,	)	
	)	
Respondents.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On or about August 24, 2022, Respondent RICHARD JOSEPH MINOGUE petitioned the Commissioner to voluntarily surrender his real estate broker license (license no. 01378196) pursuant to California Business and Professions Code section 10100.2.

IT IS HEREBY ORDERED that Respondent RICHARD JOSEPH MINOGUE's petition for voluntary surrender of his real estate license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated August 24, 2022 (attached as Exhibit "A" hereto). The license certificate and pocket card of RICHARD JOSEPH MINOGUE shall be sent to the below listed address so that they reach the Department of Real Estate on or before the effective date of this Order:

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Department of Real Estate  
Attn: Licensing Flag Section  
P. O. Box 137013  
Sacramento, CA 95813-7013

This Order shall become effective at 12 o'clock noon on October 10, 2022.

DATED: 9.12.22

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER



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EXHIBIT "A"

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	
	)	
OUTFIT REALTY, INC.; and	)	No. H-42319 LA
	)	
<u>RICHARD JOSEPH MINOGUE</u> , individually	)	
and as designated officer of Outfit Realty, Inc.,	)	
	)	
Respondents.	)	

DECLARATION

My name is RICHARD JOSEPH MINOGUE. I have a real estate broker license and/or have license rights with respect to said license (license no. 01378196), and am represented by Matthew E. Lewitz, Esq. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the California Government Code), I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department") pursuant to California Business and Professions Code section 10100.2.

I understand that by so voluntarily surrendering my license, I may be relicensed as a broker or as a salesperson, or issued a mortgage loan originator endorsement, only by

1 petitioning for reinstatement pursuant to California Government Code section 11522. I also  
2 understand that by so voluntarily surrendering my license, I agree to the following:

3 1. The filing of this Declaration shall be deemed as my petition for voluntary  
4 surrender.

5 2. It shall also be deemed to be an understanding and agreement by me that I  
6 waive all rights I have to require the Commissioner to prove the allegations against me in the  
7 Accusation, and that I also waive other rights afforded to me in connection with the hearing, such  
8 as the right to discovery, the right to present evidence in my defense, and the right to cross-  
9 examine witnesses.

10 3. I further agree that upon acceptance by the Commissioner, as evidenced by an  
11 appropriate order, all affidavits, and all relevant evidence obtained by the Department in this  
12 matter prior to the Commissioner's acceptance, and all evidence supporting the allegations  
13 described above, may be considered by the Department to be true and correct for the sole and  
14 exclusive purpose of deciding whether to grant licensure, relicensure, and/or reinstatement  
15 pursuant to California Government Code section 11522 and/or a similar code section.

16 4. This Declaration and my decision to voluntarily surrender my license and not  
17 contest the Accusation are made for the purpose of reaching an agreed disposition of this  
18 proceeding, and are expressly limited to this proceeding and any other proceeding or case  
19 involving the licensure, relicensure, and/or reinstatement of any license, licensing right, and/or  
20 endorsement in which the Department of Real Estate, another agency of this state, another state,  
21 or federal government is involved, and otherwise shall not be admissible in any other criminal or  
22 civil proceedings. I further understand that the sustained conduct, acts, and/or omissions may be  
23 considered in any future administrative or disciplinary matters by the Department of Real Estate.

24 5. Prior to issuance of any new or reinstated license, I shall pay the Department  
25 for its cost of investigation and enforcement. The total cost of investigation and enforcement is  
26 two thousand three hundred thirty-two dollars and seventy cents (\$2,332.70), and is only due  
27 upon issuance and/or reinstatement of a license to Respondent.

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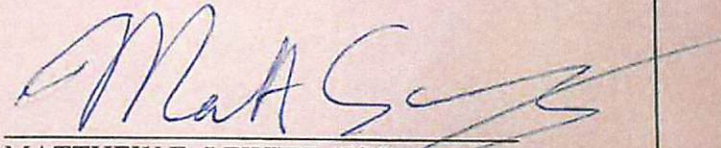
6. A copy of the Commissioner's Criteria of Rehabilitation is attached hereto. If and when a petition application is made for licensure, relicensure, and/or reinstatement, the Commissioner will consider as one of the criteria of rehabilitation whether or not restitution has been made to any person who has suffered monetary losses through "substantially related" acts or omissions by me.

7. I freely and voluntarily surrender all my licenses and license rights under the Real Estate Law.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed Aug 24, 2022, at Ontario, California.

  
RICHARD JOSEPH MINOGUE

I, Matthew E. Lewitz, Esq., have reviewed the Declaration herein and approve it as to form.

  
MATTHEW E. LEWITZ, ESQ.