

FILED

AUG 18 2023

DEPT. OF REAL ESTATE

By

Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013

(213) 576-6982

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
MICHAEL ANTHONY YOUNGE,) NO. H-42503 LA
Respondent.) STIPULATION AND AGREEMENT
(B & P § 10100.4)

I, MICHAEL ANTHONY YOUNGE, ("Respondent") hereby affirm that I am presently licensed and/or have license rights under the Real Estate Law, Part 1, of Division 4, of the California Business and Professions Code ("Code") as a real estate broker. My real estate broker license number is 01100757.

I have been informed by the Department of Real Estate that I am the subject of an investigation of possible violations of the Real Estate Law, Sections 10000 et seq., of the Code, and Regulations of the Real Estate Commissioner, Title 10, Chapter 6, of the California Code of Regulations, which could result in the filing of an Accusation to revoke or suspend my real estate license, and pursuant to Code Section 10100.4, I wish to enter into this Stipulation and Agreement ("Stipulation").

I acknowledge that that by entering into this Stipulation, I am stipulating that the

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1 Real Estate Commissioner ("Commissioner") has found grounds to file an Accusation to revoke
2 or suspend my real estate license and license rights pursuant to Sections 10177(g) and (f) of the
3 Code based on violation of Code section 6049.1(a) (committed professional misconduct in
4 another jurisdiction), pursuant to California Supreme Court Order No. S269316, filed on August
5 2, 2021, in State Bar Court Case No. SBC-21-J-30159.

6 I understand that by agreeing to this Stipulation and Agreement, I agree to pay,
7 pursuant to Section 10106 of the Code, the cost of the investigation and enforcement which
8 resulted in the determination that the Commissioner has grounds to file an Accusation to revoke
9 or suspend my real estate license and license rights pursuant to Code Section 10177(b). The total
10 amount of said costs is \$1,419.15.

11 All issues which were to be contested and all evidence which was to be presented
12 by the Department and Respondent at a formal hearing on an Accusation, and hearing held in
13 accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead and
14 in place thereof be submitted solely on the basis of the provisions of this Stipulation.

15 I hereby request that the Commissioner in his discretion revoke my real estate
16 broker license and licensing rights, and under the authority of Code Section 10100.4, issue a
17 restricted real estate broker license to me pursuant to Code Section 10156.5 if I make application
18 therefore and pay to the Department of Real Estate the appropriate fee for the restricted license
19 within ninety (90) days of the effective date of the below Decision and Order adopting this
20 Stipulation. I understand that any such restricted license will be issued subject to the provisions
21 and limitations of Code Sections 10156.6 and 10156.7.

22 I understand that by my signing of this Stipulation, provided this Stipulation is
23 accepted and signed by the Commissioner, the Commissioner will not file an Accusation based
24 on the grounds herein, and I am waiving my right to a hearing and the opportunity to present
25 evidence at the hearing to establish my rehabilitation in order to maintain an unrestricted real
26 estate broker license.

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1 I further understand that the following conditions, limitations, and restrictions will
2 attach to a restricted real estate broker license issued by the Department of Real Estate pursuant
3 hereto:

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

8 2. The restricted license issued to Respondent may be suspended prior to hearing
9 by Order of the Commissioner on evidence satisfactory to the Commissioner that Respondent
10 has violated provisions of the California Real Estate Law, the Subdivided Lands Law,
11 Regulations of the Commissioner or conditions attaching to the restricted license.

12 3. Respondent shall not be eligible to apply for the issuance of any unrestricted
13 real estate license nor for the removal of any of the conditions, limitations or restrictions of a
14 restricted license until two (2) years have elapsed from the effective date of the Decision and
15 Order. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions
16 attaching to the license have been removed.

17 4. Respondent shall, within nine (9) months from the effective date of this
18 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
19 since the most recent issuance of an original or renewal real estate license, taken and successfully
20 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
21 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
22 Commissioner may order the suspension of the restricted license until the Respondent presents
23 such evidence. The Commissioner shall afford Respondent the opportunity for a hearing
24 pursuant to the Administrative Procedure Act to present such evidence. Proof of completion of
25 the continuing education courses must be delivered to the Department of Real Estate, Flag
26 Section at P.O. Box 137013, Sacramento, CA 95813-7013.

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1 5. Respondent shall notify the Commissioner in writing within seventy-two (72)
2 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real
3 Estate, Post Office Box 137013, Sacramento, CA 95813-7000. The letter shall set forth the date
4 of Respondent's arrest, the crime for which Respondent was arrested and the name and address
5 of the arresting law enforcement agency. Respondent's failure to timely file written notice shall
6 constitute an independent violation of the terms of the restricted license and shall be grounds for
7 the suspension or revocation of that license.

8 6. Pursuant to Section 10106 of the Code, Respondent shall, within six (6) months
9 from the effective date of this Decision and Order, pay the sum of \$1,419.15 for the
10 Commissioner's reasonable cost of the investigation and enforcement which resulted in the
11 determination that the Commissioner has grounds to file an Accusation to revoke or suspend
12 Respondent's real estate license. Said payment shall be in the form of a cashier's check or
13 certified check made payable to the Department of Real Estate. The investigative and
14 enforcement costs must be delivered to the Department of Real Estate, Flag Section, at P.O. Box
15 137013, Sacramento, CA 95813-7013, within six (6) months from the effective date of this
16 Decision and Order.

17 (a) The Commissioner shall suspend the license(s) of Respondent pending a
18 hearing held in accordance with Section 11500, et. seq., of the California Government Code, if
19 payment is not timely made as provided for herein, or as provided for in a subsequent agreement
20 between the Respondent and the Commissioner. The Commissioner shall afford Respondent the
21 opportunity for a hearing pursuant to the APA to present such evidence that payment was timely
22 made. The suspension shall remain in effect until payment is made in full or until a decision
23 providing otherwise is adopted following a hearing held pursuant to this condition.

24 I have read this Stipulation, herein, and its terms are understood by me, and are
25 agreeable and acceptable to me. I understand that I am waiving rights given to me by the
26 California Administrative Procedure Act (including, but not limited to, California Government
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1 Code sections 11504, 11506, 11508, 11509, and 11513), and I willingly, intelligently, and
2 voluntarily waive those rights, including, but not limited to, the right to a hearing on an
3 Accusation at which I would have the right to cross-examine witnesses against me and to present
4 evidence in defense and mitigation of the charges.

5 I agree, acknowledge and understand that by signing this Stipulation I am bound
6 by its terms as of the date of such signature and that such agreement is not subject to rescission
7 or amendment at a later date except by a separate Decision and Order of the Commissioner.

8
9 7/12/2023
Date

10 [REDACTED]
MICHAEL ANTHONY YOUNGE, Respondent

11 Respondent can signify acceptance and approval of the terms and conditions of
12 this Stipulation and Agreement by sending a hard copy of the original signed signature page(s) of
13 the Stipulation herein to Andrea Bentler, Legal Section, Department of Real Estate, 320 W.
14 Fourth Street, Suite 350, Los Angeles, California, 90013-1105.

15 In the event of time constraints before an administrative hearing, Respondent can
16 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement
17 by emailing a scanned copy of the signature page, as actually signed by Respondent, to the
18 Department counsel assigned to this case. Respondent agrees, acknowledges and understands
19 that by electronically sending the Department a scan of Respondent's actual signature as it
20 appears on the Stipulation and Agreement that receipt of the scan by the Department shall be
21 binding on Respondent as if the Department had received the original signed Stipulation and
22 agreement.

23 I have read the foregoing Stipulation signed by Respondent MICHAEL
24 ANTHONY YOUNGE. I am satisfied that the hearing for the purpose of requiring further proof
25 as to honesty and truthfulness of Respondent need not be called, and that it will not be inimical
26 to the public interest to issue a restricted real estate broker license to Respondent.

1 Therefore, IT IS HEREBY ORDERED that the real estate broker license of
2 Respondent MICHAEL ANTHONY YOUNGE revoked and a restricted real estate broker
3 license be issued if Respondent has otherwise fulfilled all of the statutory requirements for
4 licensure. The restricted real estate broker license shall be limited, conditioned, and restricted as
5 specified in the foregoing Stipulation and Agreement.

6 The foregoing Stipulation and Agreement is hereby adopted as my Decision in
7 this matter and shall become effective at 12 o'clock noon on SEP - 7 2023.

8 IT IS SO ORDERED 8.11.23.

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10 DOUGLAS R. McCAULEY
11 REAL ESTATE COMMISSIONER
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