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MAR 13 2026

DEPT. OF REAL ESTATE

By- [REDACTED]

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-42686 LA
)	
TEMEREALTY CORPORATION,)	<u>STIPULATION AND AGREEMENT</u>
<u>JAMES WILLIAM MUCCIOLA,</u>)	
individually and as former designated officer)	
of Temerealty Corporation, and)	
QUN XIAO)	
)	
Respondents.)	
)	

It is hereby stipulated by and between Respondent JAMES WILLIAM MUCCIOLA ("Respondent") and the Complainant, acting by and through Steve Chu, Attorney for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on December 26, 2023, in this matter:

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

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1 2. Respondent has received, read and understands the Statement to
2 Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department
3 of Real Estate in this proceeding.

4 3. On January 12, 2024, Respondent filed a Notice of Defense pursuant to
5 Section 11506 of the Government Code for the purpose of requesting a hearing on the
6 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
7 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
8 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate
9 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested
10 hearing held in accordance with the provisions of the APA and that Respondent will waive
11 other rights afforded to Respondent in connection with the hearing such as the right to present
12 evidence in defense of the allegations in the Accusation and the right to cross-examine
13 witnesses.

14 4. Respondent, pursuant to the limitations set forth below, hereby admits
15 that the factual allegations in the Accusation filed in this proceeding are true and correct and
16 the Commissioner shall not be required to provide further evidence to prove such allegations.

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

24 6. The Order or any subsequent Order of the Commissioner made pursuant
25 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
26 civil proceedings by the Department with respect to any matters which were not specifically
27 alleged to be causes for the Accusation in this proceeding.

1 DETERMINATION OF ISSUES

2 By reason of the foregoing stipulations, admissions, and waivers, and solely for
3 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and
4 agreed that the following Determination of Issues shall be made:

5 I.


6 The conduct, acts, and/or omissions of Respondent JAMES WILLIAM
7 MUCCIOLA, as described in the Accusation, constitute cause for the suspension or revocation
8 of all real estate licenses and license rights of Respondent JAMES WILLIAM MUCCIOLA
9 under California Business and Professions Code ("Code") sections 10177(d), 10177(g), and
10 10177(h) for violation of Code section 10159.2 and Title 10, Chapter 6 of the Code of
11 Regulations ("Regulations") section 2725.

12 ORDER

13 I.

- 14 1. Respondent JAMES WILLIAM MUCCIOLA is publicly reprovded.
- 15 2. All licenses and licensing rights of Respondent are indefinitely
16 suspended unless or until Respondent pays the sum of \$2,184.65 for the Commissioner's
17 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
18 payment shall be in the form of a cashier's check made payable to the Department of Real
19 Estate. The investigative and enforcement costs must be delivered to the Department of Real
20 Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the
21 effective date of this Decision and Order.

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23 DATED: 10/23/2025


24 Steve Chu, Attorney
25 Department of Real Estate

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The foregoing Stipulation and Agreement is hereby adopted by me as my Decision in this matter as to Respondent JAMES WILLIAM MUCCIOLA, and shall become effective at 12 o'clock noon on APR - 2 2026.

IT IS SO ORDERED 2/27/20

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner