

1 DEPARTMENT OF REAL ESTATE
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 620-2072

FILED

OCT 17 2024

DEPT. OF REAL ESTATE

By [REDACTED]

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation against

12 BRIAN KYUN KYO JUNG, individually and as
13 Designated Officer for Partner of Dream, Inc., and
14 PARTNER OF DREAM, INC.,

15 Respondents.

DRE No. H-42797 LA
OAH No. 2024040900

STIPULATION AND
AGREEMENT IN SETTLEMENT
AND ORDER

16
17 It is hereby stipulated by and between Respondents BRIAN KYUN KYO JUNG and
18 PARTNER OF DREAM, INC. (collectively "Respondents"), represented by Kevin Jang, Esq., in
19 this matter, and the Complainant, acting by and through Lissete Garcia, Counsel for the
20 Department of Real Estate ("Department"), as follows for the purpose of settling and disposing
21 the Second Amended Accusation filed on September 3, 2024, with Department Case No.
22 H-42797 LA ("Accusation") in this matter:

23 1. All issues which were to be contested and all evidence which was to be presented by
24 Complainant and Respondents at a formal hearing on the Accusation, which hearing was to be

1 held in accordance with the provisions of the Administrative Procedure Act (“APA”), shall
2 instead and in place thereof be submitted on the basis of the provisions of this Stipulation and
3 Agreement in Settlement and Order (“Stipulation”).

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

6 3. Respondents filed a Notice of Defense pursuant to Section 11506 of the Government
7 Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondents
8 hereby freely and voluntarily withdraw said Notice of Defense. Respondents acknowledge and
9 understand that by withdrawing said Notice of Defense, Respondents will thereby waive
10 Respondents’ rights to require the Real Estate Commissioner (“Commissioner”) to prove the
11 allegations in the Accusation at a contested hearing held in accordance with the provisions of the
12 APA and that Respondents will waive other rights afforded to Respondents in connection with
13 the hearing such as the right to present evidence in defense of the allegations in the Accusation
14 and the right to cross-examine witnesses.

15 4. This Stipulation is based on the factual allegations contained in the Accusation filed in
16 this proceeding. In the interest of expedience and economy, Respondents choose not to contest
17 these factual allegations, but to remain silent and understand that, as a result thereof, these
18 factual statements, will serve as a prima facie basis for the disciplinary action stipulated to
19 herein. The Real Estate Commissioner shall not be required to provide further evidence to prove
20 such allegations.

21 5. This Stipulation and Respondents’ decision not to contest the Accusation are made for
22 the purpose of reaching an agreed disposition of this proceeding and are expressly limited to this
23 proceeding and any other proceeding or case in which the Department, or another licensing
24 agency of this state, another state or if the federal government is involved and otherwise shall not

1 be admissible in any other criminal or civil proceedings.

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

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

13 DETERMINATION OF ISSUES

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

17 I.

18 The conduct, acts and/or omissions of Respondents BRIAN KYUN KYO JUNG and
19 PARTNER OF DREAM, INC., as set forth herein above in Paragraph 4, constitute cause for the
20 suspension or revocation of all real estate licenses and license rights of Respondents BRIAN
21 KYUN KYO JUNG and PARTNER OF DREAM, INC., pursuant to the provisions of Code
22 section 10177, subdivisions (g), (j), and (d), for violation of Code sections 10130, 10137, and
23 10159.5.

24 ///

1 date of this Decision and Order. Should such a determination be made, the
2 Commissioner may, in her discretion, vacate and set aside the stay order and
3 reimpose all or a portion of the stayed suspension. Should no such determination
4 be made, the stay imposed herein shall become permanent;


5 II.

6 All licenses and licensing rights of Respondents JUNG and PODI are indefinitely
7 suspended unless or until Respondents submit proof satisfactory to the Commissioner of
8 payment, jointly or severally, of the total restitution sum of \$5,250.00 to Yolanda P. Smith and
9 James Thomas. **Proof of the restitution payment must be delivered to the Department of
10 Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811.**

11 III.

12 All licenses and licensing rights of Respondents JUNG and PODI are indefinitely
13 suspended unless or until Respondents pay, severally or jointly, the total sum of \$5,000.00 for
14 the Commissioner's reasonable cost of the investigation and enforcement which led to this
15 disciplinary action. **Said payment shall be in the form of a cashier's check made payable to
16 the Department of Real Estate. The investigative and enforcement costs must be delivered
17 to the Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504,
18 Sacramento, CA 95811, prior to the effective date of this Decision and Order. Payment of
19 investigation and enforcement costs should not be made until the Stipulation has been
20 approved by the Commissioner.**

21 DATED: 09/10/2024


Lissete Garcia, Counsel
Department of Real Estate

23 ///

24 ///

EXECUTION OF THE STIPULATION

1
2
3 We have read this Stipulation and its terms are understood by us and are agreeable and
4 acceptable to us. We understand that we are waiving rights given to us by the California APA
5 (including, but not limited to, sections 11506, 11508, 11509, and 11513 of the Government
6 Code), and we willingly, intelligently, and voluntarily waive those rights, including the right of
7 requiring the Commissioner to prove the allegations in the Accusation at a hearing at which we
8 would have the right to cross-examine witnesses against us and to present evidence in defense
9 and mitigation of the charges.

10 Respondents can signify acceptance and approval of the terms and conditions of this
11 Stipulation and Agreement by electronically e-mailing a copy of the signature pages, as actually
12 signed by Respondents, to the Department. Respondents agree, acknowledge, and understand
13 that by electronically sending to the Department an electronic copy of Respondents' actual
14 signatures, as they appear on the Stipulation, that receipt of the emailed copy by the Department
15 shall be as binding on Respondents as if the Department had received the original signed
16 Stipulation. By signing this Stipulation, Respondents understand and agree that Respondents
17 may not withdraw their agreement or seek to rescind the Stipulation prior to the time the
18 Commissioner considers and acts upon it or prior to the effective date of the Stipulation and
19 Order.

20
21 DATED: 9/6/2024


Respondent PARTNER OF DREAM, INC.

22 By (Printed Name): 

23 Title: CEO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

DATED 9/6/2024

[Redacted]
Respondent BRIAN KYUN KYO JUNG

DATED 9/7/24

[Redacted]
Kevin Lang, Attorney for Respondents
Approved as to Form

The foregoing Stipulation and Agreement is hereby adopted by me as my Decision in this matter as to Respondents BRIAN KYUN KYO JUNG and PARTNER OF DREAM, INC., and shall become effective at 2 o'clock noon on

IT IS SO ORDERED

CHIKA S. NQJISI
REAL ESTATE COMMISSIONER

By: Marcus J. McCarthy
Chief Deputy Real Estate Commissioner

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

DATED: _____ Respondent BRIAN KYUN KYO JUNG

DATED: _____ Kevin Jang, Attorney for Respondents
Approved as to Form

* * *

The foregoing Stipulation and Agreement is hereby adopted by me as my Decision in this matter as to Respondents BRIAN KYUN KYO JUNG and PARTNER OF DREAM, INC., and shall become effective at 12 o'clock noon on 11/28/2024.

IT IS SO ORDERED 10/10/2024

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner