

## BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

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) No. H-42845 LA
) <u>STIPULATION AND AGREEMENT</u>
) ) )

It is hereby stipulated by and between Respondent TREVOR RYAN GALE, represented by Negin Yamini, 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 April 23, 2024, 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").
- 2. Respondent has received, read, and understand the Statement to Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department of Real Estate in this proceeding.

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- 3. On September 11, 2024, Respondent filed a Notice of Defense pursuant to section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that Respondent understands that by withdrawing said Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested hearing held in accordance with the provisions of the APA and that Respondent will waive other rights afforded to Respondent in connection with the hearing such as the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.
- 4. Respondent, pursuant to the limitations set forth below, hereby admits that the factual allegations in the Accusation filed in this proceeding are true and correct and the Commissioner shall not be required to provide further evidence to prove such allegations.
- 5. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation as her Decision in this matter, thereby imposing the penalty and sanctions on Respondent's real estate licenses and license rights as set forth in the below Order. In the event that the Commissioner in her discretion does not adopt the Stipulation, it shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding on the Accusation under all the provisions of the APA and shall not be bound by any admission or waiver made herein.
- 6. The Order or any subsequent Order of the Commissioner made pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department with respect to any matters which were not specifically alleged to be causes for the Accusation in this proceeding.

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#### DETERMINATION OF ISSUES

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

I.

The conduct, acts, and/or omissions of Respondent TREVOR RYAN GALE, as described in the Accusation, constitute cause for the suspension or revocation of all real estate licenses and license rights of Respondent TREVOR RYAN GALE under California Business and Professions Code ("Code") sections 490 and 10177(b)(1) for violation of Code sections 490 and 10177(b)(1).

#### ORDER

I.

All licenses and licensing rights of Respondent TREVOR RYAN GALE under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions, and restrictions imposed under Section 10156.6 of the Code:

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

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- 2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or the conditions attaching to this restricted license.
- 3. Respondent shall not be eligible to apply for the issuance of any unrestricted real estate license, including designated officer or mortgage loan originator endorsement, nor for the removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the effective date of this Decision and Order. Respondent withdraws all pending license applications.
- 4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker, on a form approved by the Department of Real Estate, which shall certify:
  - (a) That the employing broker has read the Decision of the
     Commissioner which granted the right to a restricted license; and
  - (b) That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.

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 5. Respondent shall, within nine (9) months from the effective date of this Decision and Order, present evidence satisfactory to the Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, Respondent's real estate license shall automatically be suspended until Respondent presents evidence satisfactory to the Commissioner of having taken and successfully completed the continuing education requirements. Proof of completion of the continuing education courses must be delivered to the Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811.

- 6. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.
- 7. All licenses and licensing rights of Respondent are indefinitely suspended unless or until Respondent pays the sum of \$5,110.40 for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. The investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, prior to the effective date of this Decision and Order.

DATED: 4/14/2025

Steve Chu, Attorney Department of Real Estate

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I have read the Stipulation and Agreement. I understand that I am waiving rights given to me by the California Administrative Procedure Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right to seek reconsideration and the right to seek judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

I agree, acknowledge, and understand that I cannot rescind or amend this Stipulation and Agreement.

I can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement by December 20, 2024, to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement or a copy faxed to (213) 576-6917 by April 11, 2025; if not, this Stipulation and Agreement is invalid and void because the sum for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action will increase.

4/10/2025 DATED:

DATED: 04/10/2025

Negin Yamini Counsel for Respondent Approved as to Form

TREVOR RYAN GALE

Respondent

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The foregoing Stipulation and Agreement is hereby adopted by me as my Decision in this matter as to Respondent TREVOR RYAN GALE, and shall become effective at 12 o'clock noon on **JUN 16 2025**.

IT IS SO ORDERED \_

CHIKA SUNQUIST REAL ESTATE COMMISSIONER



By: Marcus L. McCarther

Chief Deputy Real Estate Commissioner

### FILED

AUG 2 6 2024 DEPT. OF REAL ESTATE

BY\_

### BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) No. H-42845 LA

TREVOR RYAN GALE, )

Respondent. )

#### ORDER VACATING DECISION AND SETTING ASIDE DEFAULT

On June 11, 2024, a Default Order was filed. Thereafter, on July 29, 2024, a Decision was rendered revoking the real estate salesperson license of Respondent TREVOR RYAN GALE, effective August 26, 2024.

On August 22, 2024, good cause was presented to set aside the Default Order of June 11, 2024, and to vacate the Decision of July 29, 2024, and to have the matter remanded to the Office of Administrative Hearings as a contested matter.

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NOW, THEREFORE, IT IS ORDERED that the Default Order of June 11, 2024, is set aside and the Decision of July 29, 2024, is vacated and that the Matter of the Accusation filed on April 23, 2024, be remanded to the Office of Administrative Hearings.

This Order is effective immediately.

DATED:  $\frac{9/26/2024}{}$ 

CHIKA SUNQUIST REAL ESTATE COMMISSIONER

By: Marcus L. McCarther

Chief Deputy Real Estate Commissioner



AUG - 6 2024

DEPT. OF REAL ESTATE

#### BEFORE THE DEPARTMENT OF REAL ESTATE

#### STATE OF CALIFORNIA

TREVOR RYAN GALE,	)	
Respondent(s).	)	

#### **DECISION**

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 11, 2024, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, TREVOR RYAN GALE ("Respondent"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of a crime that is substantially related to the qualifications, functions or duties of a real estate licensee.

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

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#### **FINDINGS OF FACT**

1.

On April 18, 2024, Jason Parson made the Accusation in his official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on April 23, 2024.

2.

On June 6, 2024, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson.

4.

To date, the Department has incurred investigation costs of \$688.40.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on April 23, 2024, which is incorporated herein as part of this Decision.

#### **DETERMINATION OF ISSUES**

1.

The allegations contained in the Accusation constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

2.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

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#### **ORDER**

All licenses and licensing rights of Respondent TREVOR RYAN GALE under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on 826 2024.

DATED: 7/29/2024

CHIKA SUNQUIST REAL ESTATE COMMISSIONER

By: Marcus L. McCarther

Chief Deputy Real Estate Commissioner

Department of Real Estate 320 West Fourth St, Ste 350 Los Angeles, CA, 90013



DEPT, OF REAL ESTATE
By\_\_\_

# BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

In the Matter of the Accusation of:

TREVOR RYAN GALE,

Respondent.

DRE NO. H-42845 LA

DEFAULT ORDER

Respondent TREVOR RYAN GALE, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED June 6, 2024.

CHIKA SUNQUIST REAL ESTATE COMMISSIONER

TRICIA D. PARKHURST
Assistant Commissioner, Enforcement

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### EX. "A"

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1	STEVE CHU, Attorney (SBN 238155) Department of Real Estate			
2	320 West 4th Street, Suite 350 Los Angeles, California 90013-1105			
3	Telephone: (213) 620-6430 APR 2 3 2024			
4	(0.10) == 1.401=			
5	Fax: (213) 576-6917 DEPT. OF REAL ESTATE By.			
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	BEFORE THE DEPARTMENT OF REAL ESTATE			
9	STATE OF CALIFORNIA			
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12	In the Matter of the Accusation of ) No. H-42845 LA			
13	TREVOR RYAN GALE,  ) ACCUSATION			
14	Respondent.			
15	,			
16	The Complainant, Jason Parson, a Supervising Special Investigator of the State			
17	of California, for cause of Accusation against TREVOR RYAN GALE ("Respondent"), is			
18	informed and alleges as follows:			
19	1.			
20	The Complainant, Jason Parson, acting in his official capacity as a Supervising			
21	Special Investigator of the State of California, makes this Accusation against TREVOR RYAN			
22	GALE.			
23	2.			
24	Respondent presently has license rights under the Real Estate Law, Part 1 of			
25	Division 4 of the California Business and Professions Code ("Code"), as a real estate			
26	salesperson.			

Accusation of TREVOR RYAN GALE

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3.

On or about March 27, 2023, Respondent pled guilty and was convicted in the Superior Court of California, County of San Diego, Case No. SCN404114, for violation of California Penal Code 415 (Disturbing the Peace), a misdemeanor. Respondent was placed on one year of probation, and ordered to serve one day in jail and pay fines and fees. Additionally, Respondent was ordered to complete Anger Management.

The conviction described in Paragraph 3 bears a substantial relationship under section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

The crime of which Respondent was convicted, as described in Paragraph 3 above, constitutes cause under sections 490 and 10177(b)(1) of the Code for the suspension or revocation of all the licenses and license rights of Respondent under the Real Estate Law.

6.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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Accusation of TREVOR RYAN GALE

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses, license endorsements, and license rights of Respondent TREVOR RYAN GALE under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Jason Parson

Supervising Special Investigator

Dated at Los Angeles, California

this 18th \_day of April , 20 24

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TREVOR RYAN GALE cc: Jones Lang LaSalle Brokerage Inc Jason Parson

Sacto.

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