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DEPARTMENT OF REAL ESTATE  
Los Angeles, CA 90013-1105  
Telephone: (213) 620-2072

**FILED**

JUN 22 2021

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*\*

In the Matter of the Accusation of:	)	No. H-41631 LA
	)	
MYKEL ANNE MARTIN,	)	
	)	
Respondent.	)	
	)	

DISMISSAL

The Accusation herein filed on March 10, 2020, against MYKEL ANNE MARTIN,  
is DISMISSED.

IT IS SO ORDERED 6-16-21

REAL ESTATE COMMISSIONER

*[Signature]*  
DOUGLAS R. McCAULEY

1 Department of Real Estate  
2 P.O. Box 137007  
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8672

**FILED**

JUN 22 2021

DEPT. OF REAL ESTATE

By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

12 MYKEL ANNE MARTIN; )

13 REALTY MASTERS & )  
14 ASSOCIATES, INC; )

15 VINCENT KYAN, as designated )  
16 officer of Realty Masters )  
17 & Associates, Inc, )

18 Respondents. )  
19 )  
20 )

DRE Case No. H-41631 LA

STIPULATION AND AGREEMENT  
TO CITATION AND FINE

21 It is hereby stipulated by and between Respondent MYKEL ANNE MARTIN  
22 ("Respondent"), and the Complainant, acting by and through Julie L. To, Counsel for the  
23 Department of Real Estate ("Department"), as follows for the purpose of settling and  
24 disposing of the Accusation filed on March 10, 2020 in this matter:

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

6                   2. Respondent has received, read, and understands the Statement to Respondent,  
7 and the Discovery Provisions of the APA filed by the Department in this proceeding.

8                   3. On April 21, 2020, Respondent filed her Notice of Defense pursuant to  
9 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations  
10 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of  
11 Defense. Respondent acknowledges that Respondent understands that by withdrawing said  
12 Notice of Defense Respondent will thereby waive Respondent’s right to require the Real Estate  
13 Commissioner (“Commissioner”) to prove the allegations in the Accusation at a contested  
14 hearing held in accordance with the provisions of the APA, and that Respondent will waive other  
15 rights afforded to Respondent in connection with the hearing such as the right to present  
16 evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

17                   4. This Stipulation and Agreement to Citation and Fine is based on the factual  
18 allegations contained in the Accusation. In the interest of expediency and economy, Respondent  
19 chooses not to contest these factual allegations, but to remain silent and understand that, as a  
20 result thereof, these factual statements will serve as a prima facie basis for the citation(s),  
21 administrative fine(s), and violations set forth below. The Commissioner shall not be required to  
22 provide further evidence to prove such allegations.

23                   5. This Stipulation and Agreement to Citation and Fine and Respondent’s decision  
24 not to contest the Accusation and Citation are made for the purpose of reaching an agreed  
25 disposition of this proceeding and are expressly limited to this proceeding and any other  
26 proceeding or case in which the Department, the state or federal government, an agency of this  
27 state, or an agency of another state is involved. Respondent further understands that the

1 sustained violations may be considered in any future administrative or disciplinary matters by the  
2 Department.

3           6. Respondent further understands and agrees that this Stipulation and Agreement  
4 to Citation and Fine or any subsequent Order of the Commissioner made pursuant to this  
5 Stipulation and Agreement to Citation and Fine shall not constitute an estoppel, merger, or bar to  
6 any further administrative or civil proceedings by the Department with respect to any matters  
7 which were not specifically alleged in Accusation H-41631 LA.

8           7. Respondent agrees to pay an administrative fine, not to exceed \$2,500.00,  
9 pursuant to the authority provided by Section 10080.9 of the Business and Professions Code  
10 (“Code”), in conjunction with Sections 2907.1, 2907.2, and 2907.4 of Title 10, Chapter 6 of the  
11 Code of Regulations (“Regulations”), for violations of:

- 12           a. Code Section 10159.5 and Regulation 2731 (fictitious name; use of  
13 false or fictitious name);
- 14           b. Code Section 10159.6 (team name requirements); and
- 15           c. Code Section 10162 (place of business).

16           8. Respondent’s signature indicates full agreement to the terms of this Stipulation  
17 and Agreement to Citation and Fine and to the terms set forth herein. Respondent expressly  
18 agrees not to contest any aspect of the citation(s), pursuant to Section 2907.3 of the  
19 Regulations.

20           9. Respondent agrees to remit payment of the administrative fine in the form of a  
21 cashier’s check made payable to the Department of the Real Estate, within thirty (30) days of the  
22 date of the citation(s). The payment should include a reference to the citation number. The  
23 payment shall be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,  
24 Sacramento, CA 95813-7013.

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1                   10. Respondent understands that by agreeing to this Stipulation and Agreement to  
2 Citation and Fine, Respondent agrees to pay the cost of the Department's investigation and  
3 enforcement costs ("investigation costs") which led to this disciplinary action. The amount of  
4 said investigation costs is \$1,694.85. The investigative costs must be delivered to the  
5 Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013,  
6 within thirty (30) days of the date of the citation. Said payment shall be in the form of a  
7 cashier's check made payable to the Department of Real Estate.

8                   11. Respondent further acknowledges that failure to remit timely payment of the  
9 administrative fine imposed in the citation, or to comply with any of the above conditions in the  
10 Stipulation and Agreement to Citation and Fine, will result in further formal disciplinary action  
11 by the Department, including, but not limited to the continued prosecution of Accusation  
12 H-41631 LA. Respondent shall not be entitled to any repayment nor credit, prorated or  
13 otherwise, for money paid to the Department under the terms of this Stipulation and Agreement  
14 to Citation and Fine and the citation. In the event that Respondent does not comply with the  
15 terms of this Stipulation and Agreement to Citation and Fine and/or the citation, this Stipulation  
16 and Agreement to Citation and Fine shall be void and of no effect, and Respondent shall retain  
17 the right to a hearing and proceeding on the Accusation under all provisions of the APA, and  
18 shall not be bound by any admission or waiver made herein.

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1 12. The Department agrees that, upon timely receipt of the administrative fine  
2 imposed in the citation(s) by Respondent, and upon timely completion of all of the above  
3 conditions in this Stipulation and Agreement to Citation and Fine, the Department will consider  
4 the citation(s) satisfied and will obtain an Order dismissing Accusation H-41631 LA, and the  
5 reference to Accusation H-41631 LA will be removed from the Department's website.

6 \* \* \*

7 7-14-20

8 DATED



Julie L. To, Counsel for Complainant

9 \* \* \*

10 Respondent can signify acceptance and approval of the terms and conditions of  
11 this Stipulation and Agreement to Citation and Fine by sending a hard copy of the original signed  
12 signature page of the Stipulation herein to Julie L. To, Legal Section, Department of Real  
13 Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. In the event of time  
14 constraints before an administrative hearing, Respondent can signify acceptance and approval of  
15 the terms and conditions of this Stipulation and Agreement to Citation and Fine by emailing a  
16 scanned copy of the signature page, as actually signed by Respondent, to the Department counsel  
17 assigned to this case. Respondent agrees, acknowledges, and understands that by electronically  
18 sending to the Department a scan of copy of Respondent's actual signature as it appears on the  
19 Stipulation and Agreement to Citation and Fine, that receipt of the scan by the Department shall  
20 be binding on Respondent as if the Department had received the original signed Stipulation and  
21 Agreement to Citation and Fine.  
22

23 I have read the Stipulation and Agreement to Citation and Fine, and its terms are  
24 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights  
25 given to me by the California Administrative Procedure Act, and I willingly, intelligently and  
26 voluntarily waive those rights, including the right of requiring the Commissioner to prove the  
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1 allegations in the Accusation at a hearing at which I would have the right to cross-examine  
2 witnesses against me and to present evidence in defense and mitigation of the charges.

3  
4 6/25/20  
5 DATED

Mykel Anne Martin  
6 MYKEL ANNE MARTIN, Respondent

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8 The foregoing Stipulation and Agreement to Citation and Fine is hereby adopted  
9 as my Decision as to Respondent MYKEL ANNE MARTIN and shall become effective at 12  
10 o'clock noon on JUN 22 2021, 2020.

11 IT IS SO ORDERED 8.27.20, 2020.

12 REAL ESTATE COMMISSIONER

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15  
16 Douglas R. McCauley  
17 DOUGLAS R. McCAULEY

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19 On or about 10/14/2020, on behalf of the Department of Real Estate, Luke  
20 S. Martin, Citation and Fine Compliance Officer, issued Citation No. C3201012001  
21 to Respondent MYKEL ANNE MARTIN. The Citation ordered Respondent MYKEL ANNE  
22 MARTIN to pay an administrative fine of \$ 2000.00 by 11/23/2020. Respondent  
23 MYKEL ANNE MARTIN made payment of the administrative fine on 12/04/2020

24 12/15/2020  
25 DATED

LSMartin  
26 LUKE S. MARTIN,  
27 Citation and Fine Compliance Officer