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2 Department of Real Estate
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FILED

FEB 14 2023

DEPT. OF REAL ESTATE

By John Aguirre

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-42107 LA
13)
14 JASON R ANDERSON, RICHARD ALLEN,) STIPULATION AND AGREEMENT
15 RAYL, and LEEANN SCHUMACHER,) IN SETTLEMENT AND ORDER
16)
17 Respondent.)

18 It is hereby stipulated by and between Respondents RICHARD ALLEN RAYL
19 and LEEANN SCHUMACHER (collectively "Respondents") and their attorney of record, Jean
20 Dalmore, and the Complainant, acting by and through Kevin H. Sun, Counsel for the
21 Department of Real Estate, as follows for the purpose of settling and disposing of the
22 Accusation filed on September 7, 2021, in this matter (Case No. H-42107 LA):

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

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STIPULATION AND AGREEMENT

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

4 3. On September 23, 2021, Respondents filed Notices 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. Respondents hereby freely and voluntarily withdraw said Notices
7 of Defense. Respondents acknowledge that they understand that by withdrawing said Notices
8 of Defense they will thereby waive their rights to require the Commissioner to prove the
9 allegations in the Accusation at a contested hearing held in accordance with the provisions of
10 the APA and that they will waive other rights afforded to them in connection with the hearing
11 such as the right to present evidence in defense of the allegations in the Accusation and the
12 right to cross-examine witnesses.

13 4. This Stipulation is based on the factual allegations contained in the
14 Accusation. In the interest of expedience and economy, Respondents choose not to contest
15 these allegations, but to remain silent, and understand that, as a result thereof, these factual
16 allegations, without being admitted or denied, will serve as a prima facie basis for the
17 disciplinary action stipulated to herein. The Real Estate Commissioner shall not be required to
18 provide further evidence to prove said factual allegations.

19 5. This Stipulation is made for the purpose of reaching an agreed disposition of
20 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
21 which the Department or another licensing agency of this state, another state, or if the federal
22 government is involved, and otherwise shall not be admissible in any other criminal or civil
23 proceeding.

24 6. It is understood by the parties that the Real Estate Commissioner may adopt
25 the Stipulation as his Decision in this matter, thereby imposing the penalty and sanctions on
26 Respondents' real estate licenses and license rights as set forth in the below "Order". In the
27 event that the Commissioner in his discretion does not adopt the Stipulation and Agreement, it

1 shall be void and of no effect, and Respondents shall retain the right to a hearing and
2 proceeding on the Accusation under all the provisions of the APA and shall not be bound by
3 any admission or waiver made herein.

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

8 DETERMINATION OF ISSUES

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

12 The conduct of Respondents, as described in the Accusation, are in violation of
13 California Business and Professions Code ("Code") Sections 10137 and 10159.5 and Title 10,
14 Chapter 6, California Code of Regulations ("Regulations") Section 2731.

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 (RICHARD ALLEN RAYL)

19 All licenses and licensing rights of Respondent RICHARD ALLEN RAYL
20 under the Real Estate Law are suspended for a period of thirty (30) days from the effective date
21 of this Decision and Order; provided, however, that:

22 A. Thirty (30) days of said suspension shall be stayed for two (2) years
23 upon the following terms and conditions:

24 1) Respondent shall obey all laws, rules and regulations governing
25 the rights, duties and responsibilities of a real estate licensee in the State of California; and,

26 2) That no final subsequent determination be made, after hearing or
27 upon stipulation, that cause for disciplinary action occurred within two (2) years from the

STIPULATION AND AGREEMENT

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

5 B. Respondent shall, **within six (6) months from the effective date of**
6 **this Order**, take and pass the Professional Responsibility Examination administered by the
7 Department of Real Estate including the payment of the appropriate examination fee. If
8 Respondent fails to satisfy this condition, Respondent real estate license shall automatically be
9 suspended until Respondent passes the examination.

10 H.

11 (LEEANN SCHUMACHER)

12 All licenses and licensing rights of Respondent LEEANN SCHUMACHER
13 under the Real Estate Law are suspended for a period of thirty (30) days from the effective date
14 of this Decision and Order; provided, however, that:

15 A. Thirty (30) days of said suspension shall be stayed for two (2) years
16 upon the following terms and conditions:

- 17 1) Respondent shall obey all laws, rules and regulations governing
18 the rights, duties and responsibilities of a real estate licensee in the State of California; and,
19 2) That no final subsequent determination be made, after hearing or
20 upon stipulation, that cause for disciplinary action occurred within two (2) years from the
21 effective date of this Decision and Order. Should such a determination be made, the
22 Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a
23 portion of the stayed suspension. Should no such determination be made, the stay imposed
24 herein shall become permanent.

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1 III.

2 (RICHARD ALLEN RAYL and LEEANN SCHUMACHER)

3 A. All licenses and licensing rights of Respondents are indefinitely suspended
4 unless or until Respondents pay the sum of \$4,652.50 for the Commissioner's reasonable costs
5 of the investigation and enforcement which led to this disciplinary action. Said payment shall
6 be in the form of a cashier's check made payable to the Department of Real Estate. **The**
7 **payment for the investigative and enforcement costs must be delivered to the Department**
8 **of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the**
9 **effective date of this Decision and Order.** If Respondents fail to satisfy this condition, the
10 *Commissioner shall order suspension of Respondents' licenses and license rights until the sum*
11 *is paid.*

12
13 DATED: 12/28/2022



14 Kevin H. Sun, Counsel for
15 Department of Real Estate

16 * * *

17 **EXECUTION OF THE STIPULATION**

18 We have read the Stipulation, have discussed it with our counsel, and its terms
19 are understood by us and are agreeable and acceptable to us. We understand that we are waiving
20 rights given to us by the California Administrative Procedure Act (including but not limited to
21 Sections 11506, 11508, 11509 and 11513 of the Government Code), and we willingly,
22 intelligently and voluntarily waive those rights, including the right of requiring the
23 Commissioner to prove the allegations in the Accusation at a hearing at which we would have
24 the right to cross-examine witnesses against us and to present evidence in defense and
25 mitigation of the charges.


26 Respondents shall mail the original signed signature page of the stipulation
27 herein to Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth

STIPULATION AND AGREEMENT


1 St., Suite 350, Los Angeles, California 90013-1105.

2 In the event of time constraints before an administrative hearing, Respondents
3 can signify acceptance and approval of the terms and conditions of this Stipulation and
4 Agreement by emailing a scanned copy of the signature page, as actually signed by
5 Respondents, to the Department counsel assigned to this case. Respondents agree, acknowledge
6 and understand that by electronically sending the Department a scan of Respondents' actual
7 signature as it appears on the Stipulation and Agreement that receipt of the scan by the
8 Department shall be binding on Respondents as if the Department had received the original
9 signed Stipulation. Respondents shall also mail the original signed signature page of this
10 Stipulation to the Department counsel.

11 Respondents' signatures below constitute acceptance and approval of the terms
12 and conditions of this Stipulation. Respondents agree, acknowledge and understand that by
13 signing this Stipulation, Respondents are bound by its terms as of the date of such signatures
14 and that this agreement is not subject to rescission or amendment at a later date except by a
15 separate Decision and Order of the Real Estate Commissioner.

16
17 DATED: Dec 14, 2022 
18 RICHARD ALLEN RAYL
19 Respondent

20 DATED: Dec. 14, 2022 
21 LEEANN SCHUMACHER
22 Respondent

23 DATED: 12/19/2022 
24 Jean Dalmore, Esq.
25 Murchison & Cumming LLP
26 Counsel for Respondents
27 Approved as to Form

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as
to Respondents RICHARD ALLEN RAYL and LEEANN SCHUMACHER in this matter and
shall become effective at 12 o'clock noon on MAR 06 2023,
2023.

IT IS SO ORDERED 1.24.23, 2022.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley