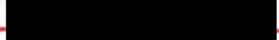


FILED

AUG 7 2024

DEPT. OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-42874 LA
)	
KINSTON OSAGIE,)	
)	
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 25, 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, KINSTON OSAGIE (“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 crimes that are substantially related to the qualifications, functions or duties of a real estate licensee and Respondent’s failure to timely report said convictions.

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.

FINDINGS OF FACT

1.

On May 16, 2024, Ray Dagnino 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 May 23, 2024.

2.

On June 25, 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 broker (License ID 01477139). Respondent's license expired on June 26, 2023. The Department of Real Estate retains jurisdiction over the lapsed license pursuant to Section 10103 of the Code.

4.

To date, the Department has incurred investigation costs of \$1,993.55.

5.

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

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, Paragraph 3 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 facts alleged in the Accusation, Paragraphs 6 and 7 indicate Respondent's failure to comply with Section 10186.2(a)(1)(A) (failure to report in writing to the Department of the bringing of an indictment or information charging a felony) of the Code, and constitute cause under Section 10177(d) (willful disregard or violation of the Real Estate Law; Part 1 of Division 4 of the Code) for revocation of all licenses and license rights of Respondent under said Real Estate Law.

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3.

Respondent's failure to timely report the convictions constitutes cause under Section 10186.2 of the code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

4.

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


ORDER

All licenses and licensing rights of Respondent KINSTON OSAGIE 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 AUG 27 2024.

DATED: 7/29/2024.

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER


By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013

FILED

JUN 25 2024

DEPT. OF REAL ESTATE

By _____

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-42874 LA*
12 KINSTON OSAGIE,) DEFAULT ORDER
13 Respondent.)
14 _____)

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

18 IT IS SO ORDERED JUNE 25, 2024.

19 CHIKA SUNQUIST
20 REAL ESTATE COMMISSIONER

21
22 By: _____
23 TRICIA D. PARKHURST
24 Assistant Commissioner, Enforcement
25
26
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