

1 BUREAU OF REAL ESTATE
2 P. O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 263-8670

FILED

DEC 12 2013

BUREAU OF REAL ESTATE

By K. Contreras

8 BEFORE THE BUREAU OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 CARRIE ANN SHREFFLER,)
13 Respondent.)

NO. H-2667 FR

STIPULATION AND AGREEMENT

14
15 It is hereby stipulated by and between Respondent CARRIE ANN
16 SHREFFLER ("Respondent"), acting by and through Geoffrey O. Evers, counsel for
17 Respondent, and the Complainant, acting by and through John W. Barron, Counsel for the
18 Bureau of Real Estate, as follows for the purpose of settling and disposing of the Accusation
19 filed on August 31, 2011, in this matter:

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

25 2. Respondent has received, read and understands the Statement to
26 Respondent, the Discovery Provisions of the APA and the Accusation filed by the Bureau of
27 Real Estate in this proceeding.

1 3. On September 12, 2011, Respondent filed a Notice of Defense pursuant
2 to Section 11505 of the Government Code for the purpose of requesting a hearing on the
3 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
4 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
5 Notices of Defense, Respondent will thereby waive Respondent's right to require the
6 Commissioner to prove the allegations in the Accusation at a contested hearing held in
7 accordance with the provisions of the APA and that Respondent will waive other rights
8 afforded to Respondent in connection with the hearing such as the right to present evidence in
9 defense of the allegations in the Accusation and the right to cross-examine witnesses.

10 4. This Stipulation is based on the factual allegations contained in the
11 Accusation. In the interest of expedience and economy, Respondent chooses not to contest
12 these factual allegations, but to remain silent and understand that, as a result thereof, these
13 factual statements will serve as a prima facie basis for the "Determination of Issues" and
14 "Order" set forth below. The Real Estate Commissioner shall not be required to provide further
15 evidence to prove such allegations.

16 5. This Stipulation and Respondent's decision not to contest the Accusation
17 are made for the purpose of reaching an agreed disposition of this proceeding and are expressly
18 limited to this proceeding and any other proceeding or case in which the Bureau of Real Estate,
19 the State or the federal government, an agency of this State, or an agency of another state is
20 involved.

21 6. It is understood by the parties that the Real Estate Commissioner may
22 adopt the Stipulation and Agreement as his decision in this matter, thereby imposing the penalty
23 and sanctions on Respondent's real estate license and license rights as set forth in the "Order",
24 below. In the event that the Commissioner in his discretion does not adopt the Stipulation and
25 Agreement, it shall be void and of no effect, and Respondent shall retain the right to a hearing
26 and proceeding on the Accusation under all the provisions of the APA and shall not be bound
27 by any admission or waiver made herein.

1 (a) The restricted license issued to Respondent may be suspended prior to
2 hearing by Order of the Commissioner in the event of Respondent's
3 conviction (including by plea of guilty or nolo contendere) to a crime
4 which is substantially related to Respondent's fitness or capacity as a real
5 estate licensee; and,

6 (b) The restricted license issued to Respondent shall be suspended prior to
7 hearing by Order of the Commissioner on evidence satisfactory to the
8 Commissioner that Respondent has violated provisions of the California
9 Real Estate Law, the Subdivided Lands Law, Regulations of the Real
10 Estate Commissioner, or conditions attaching to the restricted license.

11 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
12 real estate license nor for removal of any of the conditions, limitations or restrictions of a
13 restricted license until four (4) years have elapsed from the effective date of this Decision.

14 4. Respondent shall notify the Commissioner in writing within 72 hours of any
15 arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post Office
16 Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of Respondent's
17 arrest, the crime for which Respondent was arrested and the name and address of the arresting
18 law enforcement agency. Respondent's failure to timely file written notice shall constitute an
19 independent violation of the terms of the restricted license and shall be grounds for the
20 suspension or revocation of that license.

21 5. With the application for license, or with the application for transfer to a new
22 employing broker, Respondent shall submit a statement signed by the prospective employing real
23 estate broker on a form approved by the Bureau which shall certify as follows:

24 (a) That the employing broker has read the Decision which is the basis
25 for the issuance of the restricted license; and,

26 (b) That the employing broker will carefully review all transaction
27 documents prepared by the restricted licensee and otherwise

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exercise close supervision over the licensee's performance of acts for which a license is required.

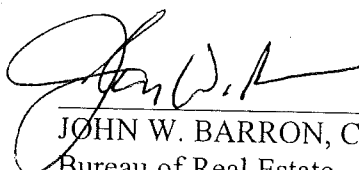
6. All licenses and licensing rights of Respondent are indefinitely suspended unless or until Respondent pays the sum of \$3,668.60 for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action. Said payment shall be in the form of a cashier's check or certified check made payable to the Real Estate Fund. Said check must be received by the Department prior to the effective date of the Order in this matter.

7. Respondent shall, within six (6) months from the effective date of this Order, take and pass the Professional Responsibility Examination administered by the Department, including the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of all licenses and licensing rights of Respondent until Respondent passes the examination.

8. Respondent shall, within nine (9) months from the effective date of this Decision, 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, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for hearing pursuant to the APA to present such evidence.

10/8/13

DATED

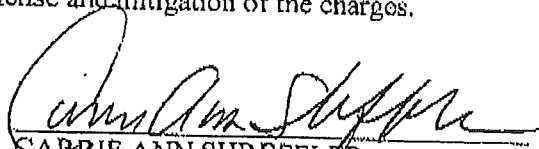


JOHN W. BARRON, Counsel
Bureau of Real Estate

I have read the Stipulation and Agreement and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by

1 the California Administrative Procedure Act (including but not limited to Sections 11506,
2 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and
3 voluntarily waive those rights, including the right of requiring the Commissioner to prove the
4 allegations in the Accusation at a hearing at which I would have the right to cross-examine
5 witnesses against me and to present evidence in defense and mitigation of the charges.

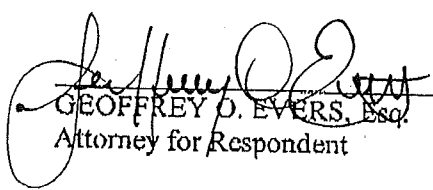
6
7 09/20/2013
8 DATED


9 CARRIE ANN SHREFFLER
10 Respondent

11 ***

12 *I have reviewed this Stipulation and Agreement and Order as to form and
13 content and have advised my client(s) accordingly.*

14 9-21-13
15 DATED

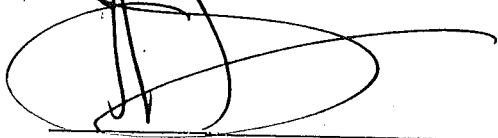

16 GEOFFREY D. EVERS, Esq.
17 Attorney for Respondent

18 ***

19 The foregoing Stipulation and Agreement is hereby adopted by me as my
20 Decision in this matter as to Respondent CARRIE ANN SHREFFLER and shall become
21 effective at 12 o'clock noon on JAN - 2 2014

22 IT IS SO ORDERED NOV 27 2013

23 Real Estate Commissioner



24 By: JEFFREY MASON
25 Chief Deputy Commissioner