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**FILED**

**JUN 25 2019**

DEPARTMENT OF REAL ESTATE  
By B. Nicholas

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	}	No. H-6764 SAC
KATHRYN GAIL KREEGER,		<u>STIPULATION AND</u>
Respondent.		<u>AGREEMENT</u>

It is hereby stipulated by and between KATHRYN GAIL KREEGER ("Respondent"), represented by Dirk Manoukian, and the Complainant, acting by and through Kyle Jones, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on December 19, 2018, 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.
2. Respondent has received, read, and understands the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department in this proceeding.
3. Respondent filed a Notice of Defense pursuant to Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the Accusation.

1 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent  
2 acknowledges that Respondent will waive Respondent's right to require the Real Estate  
3 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested hearing  
4 held in accordance with the provisions of the APA and that Respondent will waive other rights  
5 afforded to Respondent in connection with the hearing such as the right to present evidence in  
6 defense of the allegations in the Accusation and the right to cross-examine witnesses.

7 4. Respondent, pursuant to the limitations set forth below, hereby admits that  
8 the factual allegations in the Accusation filed in this proceeding are true and correct and the  
9 Commissioner shall not be required to provide further evidence to prove such allegations.

10 5. It is understood by the parties that the Commissioner may adopt the  
11 Stipulation and Agreement as his Decision and Order in this matter thereby imposing the penalty  
12 and sanctions on Respondent's real estate license and license rights as set forth in the below "Order".  
13 In the event the Commissioner in his discretion does not adopt the Stipulation and Agreement, it  
14 shall be void and of no effect, and Respondent shall retain the right to a hearing and proceeding on  
15 the Accusation under all the provisions of the APA and shall not be bound by any admission or  
16 waiver made herein.

17 6. This Decision and Order or any subsequent Order of the Commissioner made  
18 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any  
19 further administrative or civil proceedings by the Department with respect to any matters which  
20 were not specifically alleged in Accusation HI-6764 SAC.

#### 21 DETERMINATION OF ISSUES

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

25 The acts and/or omissions of Respondent as described in the Accusation violate  
26 Sections 490 and 10177(b), Business and Professions Code ("Code").



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(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.

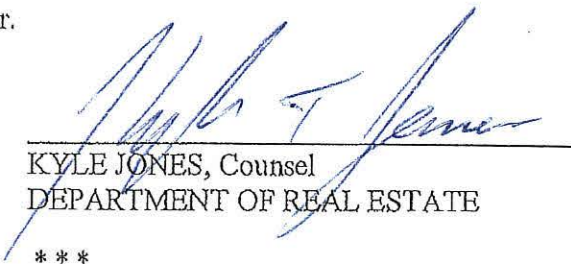
5. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent 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.

6. All licenses and licensing rights of Respondent are indefinitely suspended unless or until Respondent pays the sum of \$ 709.25 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. The investigative and enforcement costs must be delivered to the Department, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

DATED

5/9/17

KYLE JONES, Counsel  
DEPARTMENT OF REAL ESTATE




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I have read the Stipulation and Agreement, have discussed it with my counsel, 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 the APA (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at fax number (916) 576-7840 or by e-mail to kyle.jones@dre.ca.gov. Respondent agrees, acknowledges, and understands that by electronically sending to the Department a fax copy of Respondent's actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

4/15/19  
\_\_\_\_\_  
DATED

  
\_\_\_\_\_  
KATHRYN GAIL KREEGER  
Respondent

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*I have reviewed this Stipulation and Agreement as to form and content and have advised my client accordingly.*

\_\_\_\_\_  
DATED

DIRK MANOUKIAN  
Attorney for Respondent

\*\*\*

The foregoing Stipulation and Agreement is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on

\_\_\_\_\_

IT IS SO ORDERED \_\_\_\_\_

DANIEL J. SANDRI  
Acting Real Estate Commissioner

\_\_\_\_\_

1 Respondent can signify acceptance and approval of the terms and conditions of this  
2 Stipulation and Agreement by faxing a copy of the signature page, as actually signed by  
3 Respondent, to the Department at fax number (916) 576-7840 or by e-mail to  
4 kyle.jones@dre.ca.gov. Respondent agrees, acknowledges, and understands that by electronically  
5 sending to the Department a fax copy of Respondent's actual signature as it appears on the  
6 Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on  
7 Respondent as if the Department had received the original signed Stipulation and Agreement.

8 \_\_\_\_\_  
9 DATED

\_\_\_\_\_ KATHRYN GAIL KREEGER  
Respondent

10 \* \* \*

11 *I have reviewed this Stipulation and Agreement as to form and content and have*  
12 *advised my client accordingly.*

13 4/15/19  
14 DATED

\_\_\_\_\_ DIRK MANOUKIAN  
Attorney for Respondent

15 \* \* \*

16 The foregoing Stipulation and Agreement is hereby adopted by the Real Estate  
17 Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on

18 JUL 16 2019

19 IT IS SO ORDERED June 21, 2019

20  
21 DANIEL J. SANDRI  
Acting Real Estate Commissioner

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23 Daniel J. Sandri  
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