

1 BUREAU OF REAL ESTATE  
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**FILED**

NOV 19 2013

BUREAU OF REAL ESTATE

By K. Contreras

6 BEFORE THE BUREAU OF REAL ESTATE

7 STATE OF CALIFORNIA

8 \* \* \*

9 In the Matter of the Accusation of )

10 CHRISTINE M. PAPWORTH, )

11 Respondent. )

NO. H-2738 FR

STIPULATION AND AGREEMENT  
IN SETTLEMENT AND ORDER

12 It is hereby stipulated by and between Respondent CHRISTINE M. PAPWORTH  
13 (herein "Respondent"), by and through Tory E. Griffin, attorney of record herein for Respondent,  
14 and the Complainant, acting by and through Mary F. Clarke, Counsel for the Bureau of Real  
15 Estate (herein "the Bureau"), as follows for the purpose of settling and disposing of the  
16 Accusation filed on April 24, 2012, in this matter:

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

22 2. Respondent has received, read and understands the Statement to Respondent,  
23 the Discovery Provisions of the APA, and the Accusation filed by the Bureau in this proceeding.

24 3. A Notice of Defense was filed on May 9, 2012, by Respondent, pursuant to  
25 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations  
26 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.  
27 Respondent acknowledges he understands that by withdrawing said Notice of Defense he will



1 under Sections 10085, 10145, and 10176(i), in conjunction with Section 10177(d) of the  
2 Code.

3 ORDER

4 A. All licenses and licensing rights of Respondent under the Real Estate Law are suspended  
5 until such time as Respondent provides proof satisfactory to the Commissioner that  
6 Respondent has, within one hundred twenty (120) days prior to the effective date of the  
7 Decision herein completed the continuing education course on trust fund accounting and  
8 handling specified in subdivision (a) of Section 10170.5 of the Code.

9 B. All licenses and licensing rights of Respondent under the Real Estate Law are suspended  
10 for a period of ninety (90) days from the effective date of this Order; provided, however,  
11 that:

12 1. Sixty (60) days of said suspension shall be stayed for two (2) years upon the following  
13 terms and conditions:

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

16 (b) That no final subsequent determination be made, after hearing or upon  
17 stipulation, that cause for disciplinary action occurred within two (2) years from  
18 the effective date of this Order. Should such a determination be made, the  
19 Commissioner may, in his discretion, vacate and set aside the stay order and  
20 reimpose all or a portion of the stayed suspension. Should no such determination  
21 be made, the stay imposed herein shall become permanent.

22 2. The remaining thirty (30) days of said 90-day suspension shall be stayed upon the  
23 condition that Respondent petition pursuant to Section 10175.2 of the Code and pay a  
24 monetary penalty pursuant to Section 10175.2 of the Code at a rate of \$50 for each day  
25 of the suspension for a total monetary penalty of \$1,500.00:

1 (a) Said payment shall be in the form of a cashier's check or certified check made  
2 payable to the Recovery Account of the Real Estate Fund. Said check must be  
3 received by the Bureau prior to the effective date of the Order in this matter.

4 (b) No further cause for disciplinary action against the real estate licenses of  
5 Respondent occurs within two (2) years from the effective date of the Decision in  
6 this matter.

7 (c) If Respondent fails to pay the monetary penalty as provided above prior to the  
8 effective date of this Order, the stay of the suspension shall be vacated as to  
9 Respondent and the order of suspension shall be immediately executed, under  
10 this Order, in which event Respondent shall not be entitled to any repayment nor  
11 credit, prorated or otherwise, for the money paid to the Bureau under the terms of  
12 this Order.

13 (d) If Respondent pays the monetary penalty and any other moneys due under this  
14 Stipulation and Agreement in Settlement and Order and if no further cause for  
15 disciplinary action against the real estate license of Respondent occurs within  
16 two (2) years from the effective date of this Order, the entire stay hereby granted  
17 under this Order shall become permanent.

18 3. Respondent shall pay Dr. Roger J. Carey the sum of \$3,500 by the effective date of the  
19 Decision, evidence of said payment to be provided to the Bureau within 15 days of the  
20 effective of the Decision. If Respondent fails to make said payment or provide  
21 evidence of said payment, the Commissioner may indefinitely suspend all licenses and  
22 licensing rights of Respondent under the Real Estate Law until payment is made in  
23 full. Upon payment in full, the indefinite suspension provided in this paragraph shall  
24 be stayed.

25 4. Respondent shall pay Oscar Vizcaino the sum of \$3,500 by the effective date of the  
26 Decision, evidence of said payment to be provided to the Bureau within 15 days of the  
27 effective of the Decision. If Respondent fails to make said payment or provide

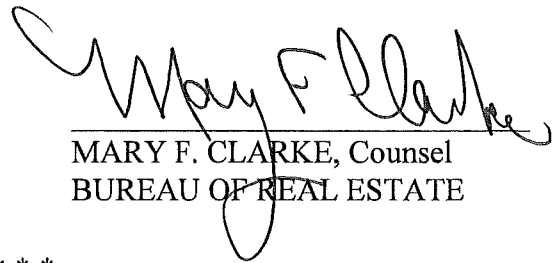
1 evidence of said payment, the Commissioner may indefinitely suspend all licenses and  
2 licensing rights of Respondent under the Real Estate Law until payment is made in  
3 full. Upon payment in full, the indefinite suspension provided in this paragraph shall  
4 be stayed.

5 5. Respondent shall pay the sum of \$4,363.73 for the Commissioner's cost, pursuant to  
6 Section 10106(a) of the Code, of the investigation and enforcement which led to this  
7 disciplinary action. Said payment shall be in the form of a cashier's check or certified  
8 check made payable to the Real Estate Fund. Said check must be received by the  
9 Department prior to the effective date of the Order in this matter. If Respondent fails to  
10 satisfy this condition, the stay of the suspension shall be vacated and the order of  
11 suspension shall be immediately executed indefinitely until payment is made in full.

12 6. Respondent shall, within six (6) months from the issuance of the Order, take and pass  
13 the Professional Responsibility Examination administered by the Bureau, including the  
14 payment of the appropriate examination fee. If Respondent fails to satisfy this  
15 condition, the stay of the suspension shall be vacated and the order of suspension shall  
16 be immediately executed indefinitely until Respondent passes the examination.

17  
18 9-25-13

19 DATED

20   
MARY F. CLARKE, Counsel  
BUREAU OF REAL ESTATE

21 \* \* \*

22 I have read the Stipulation and Agreement in Settlement and Order and its terms  
23 are understood by me and are agreeable and acceptable to me. I understand that I am waiving  
24 rights given to me by the California APA (including but not limited to Sections 11506, 11508,  
25 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive  
26 those rights, including the right of requiring the Commissioner to prove the allegations in the  
27

1 Accusation at a hearing at which I would have the right to cross-examine witnesses against me  
2 and to present evidence in defense and mitigation of the charges.

3  
4 9/18/2013

5 DATED



6  
7  
8 CHRISTINE M. PAPWORTH  
Respondent

9 \*\*\*

10 I have reviewed the Stipulation and Agreement in Settlement and Order as to form  
11 and content and have advised my client accordingly.

12 9/23/2013

13 DATED



14 TORY E. GRIFFIN  
Attorney for Respondent

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16 The foregoing Stipulation and Agreement in Settlement and Order is hereby  
17 adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on

18 DEC 19 2013

19 IT IS SO ORDERED NOVEMBER 7, 2013.

20  
21 REAL ESTATE COMMISSIONER



22  
23  
24 By: JEFFREY MASON  
Chief Deputy Commissioner