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DEPARTMENT OF REAL ESTATE  
P. O. Box 187000  
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

**FILED**  
JUL 13 1993  
DEPARTMENT OF REAL ESTATE

By *Kathleen Contreras*

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
)  
)  
KILMER & ASSOCIATES, INC., )  
EARL GENE KILMER, )  
)  
)  
Respondents. )

NO. H-2911 SAC  
ORDER TO DESIST & REFRAIN

The Real Estate Commissioner of the State of California (Commissioner) has caused an investigation to be made of your activities as real estate brokers and is of the opinion that you are in violation of Section 10177(f) of the Business and Professions Code of the State of California (Code) and Section 2742, Title 10, California Code of Regulations (Regulations).

I

Respondent KILMER & ASSOCIATES, INC. (KILMER & ASSOCIATES) is presently licensed as a real estate corporation acting by and through its broker-officer Respondent EARL GENE KILMER (KILMER).

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II

Respondent KILMER is licensed as a real estate broker, and as the designated broker-officer for Respondent KILMER & ASSOCIATES.

III

On or about August 3, 1992, pursuant to the provisions of Section 23302 of the Revenue and Taxation Code of the State of California, the corporate powers, rights and privileges of Respondent KILMER & ASSOCIATES were suspended.

IV

Said suspension is a violation of Section 10177(f) of the Code and would have been grounds for the denial of a real estate license under Section 2742 of the Regulations.

YOU, AND EACH OF YOU, ARE HEREBY ORDERED TO DESIST AND REFRAIN from performing any acts by and through Respondent KILMER & ASSOCIATES for which a real estate license is required until you have presented evidence satisfactory to the Commissioner that Respondent KILMER & ASSOCIATES is no longer subject to the suspension described in Paragraph III above,

DATED: 7 6 92

CLARK WALLACE  
Real Estate Commissioner

*Clark Wallace*

CC: KILMER & ASSOCIATES, INC.  
EARL GENE KILMER  
666 Kentucky St., Suite A  
Fairfield, CA 94533

Atty: SYB