

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

4 Telephone: (916) 227-0789

FILED
JUL 13 1993
DEPARTMENT OF REAL ESTATE

By Kathleen Contreras

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

11 * * *

12 In the Matter of the Accusation of)
13)
14 KILMER & ASSOCIATES, INC.,)
EARL GENE KILMER,)
15)
16 Respondents.)

NO. H-2911 SAC
ORDER TO DESIST & REFRAIN

17 The Real Estate Commissioner of the State of California
18 (Commissioner) has caused an investigation to be made of your
19 activities as real estate brokers and is of the opinion that you
20 are in violation of Section 10177(f) of the Business and
21 Professions Code of the State of California (Code) and Section
22 2742, Title 10, California Code of Regulations (Regulations).

23 I

24 Respondent KILMER & ASSOCIATES, INC. (KILMER &
25 ASSOCIATES) is presently licensed as a real estate corporation
26 acting by and through its broker-officer Respondent EARL GENE
27 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