

1 Bureau of Real Estate  
320 West 4th Street, Suite 350  
2 Los Angeles, California 90013-1105  
Telephone: (213) 576-6982  
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**FILED**

DEC 24 2015

BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )

CALBRE No. H-39809 LA

OAH No. 2015050991

12 VALLEY INSURED PROPERTY )

MANAGEMENT, INC. and )

13 CHRISTOPHER RYAN WATKINS, )

individually and as designated officer for )

Valley Insured Property Management, Inc., )

14 Respondents. )  
15 )

STIPULATION AND AGREEMENT

16 It is hereby stipulated by and between VALLEY INSURED PROPERTY  
17 MANAGEMENT, INC. and CHRISTOPHER RYAN WATKINS (collectively "Respondents")  
18 and their attorney, Daniel K. Gentile, and the Complainant, acting by and through Lissete Garcia,  
19 Counsel for the Bureau of Real Estate, as follows for the purpose of settling and disposing of the  
20 Accusation filed on April 16, 2015, in this matter:

21 1. All issues which were to be contested and all evidence which was to be presented by  
22 Complainant and Respondents at a formal hearing on the Accusation, which hearing was to be  
23 held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall  
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H-39809 LA- STIPULATION AND AGREEMENT

1 instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation  
2 and Agreement.

3 2. Respondents have received, read and understand the Statement to Respondent, the  
4 Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate  
5 ("Bureau"), in this proceeding.

6 3. Respondents filed a Notice of Defense pursuant to Section 11506 of the Government  
7 Code for the purpose of requesting a hearing on the allegations in the Accusation. Respondents  
8 hereby freely and voluntarily withdraw said Notice of Defense. Respondents acknowledge that  
9 they understand that by withdrawing said Notice of Defense they will thereby waive their right to  
10 require the Commissioner to prove the allegations in the Accusation at a contested hearing held  
11 in accordance with the provisions of the APA and that they will waive other rights afforded to  
12 them in connection with the hearing such as the right to present evidence in defense of the  
13 allegations in the Accusation and the right to cross-examine witnesses.

14 4. This Stipulation is based on the factual allegations contained in the Accusation filed in  
15 this proceeding. In the interest of expedience and economy, Respondents choose not to contest  
16 these factual allegations, but to remain silent and understand that, as a result thereof, these  
17 factual statements, will serve as a prima facie basis for the disciplinary action stipulated to  
18 herein. The Real Estate Commissioner shall not be required to provide further evidence to prove  
19 such allegations.

20 5. This Stipulation and Respondents' decision not to contest the Accusation are made for  
21 the purpose of reaching an agreed disposition of this proceeding and are expressly limited to this  
22 proceeding and any other proceeding or case in which the Bureau or another licensing agency of  
23 this state, another state or if the federal government is involved and otherwise shall not be  
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1 admissible in any other criminal or civil proceedings.

2 6. It is understood by the parties that the Real Estate Commissioner may adopt the  
3 Stipulation as his decision in this matter thereby imposing the penalty and sanctions on  
4 Respondents' real estate licenses and license rights as set forth in the below "Order". In the  
5 event that the Commissioner in his discretion does not adopt the Stipulation, the Stipulation shall  
6 be void and of no effect, and Respondents shall retain the right to a hearing on the Accusation  
7 under all the provisions of the APA and shall not be bound by any stipulation or waiver made  
8 herein.

9 7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to  
10 this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or  
11 civil proceedings by the Bureau with respect to any conduct which was not specifically alleged  
12 to be causes for accusation in this proceeding.

13 8. Respondents understand that by agreeing to this Stipulation, they agree to pay pursuant  
14 to Business and Professions Code Section 10148, the cost of audit which led to this disciplinary  
15 action. The amount of said cost for the audit is \$9,940.46.

16 9. Respondents understand that by agreeing to this Stipulation, the findings set forth  
17 below in the Determination of Issues become final, and the Commissioner may charge  
18 Respondents for the cost of any subsequent audit conducted pursuant to Business and Professions  
19 Code Section 10148 to determine if the violations have been corrected. The maximum cost of  
20 the subsequent audit will not exceed \$9,940.46.

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1 DETERMINATION OF ISSUES

2 By reason of the foregoing stipulation and agreement and solely for the purpose of  
3 settlement of the pending Accusation without a hearing, it is stipulated and agreed that the  
4 following determination of issues shall be made:

5 I.

6 The conduct, acts and/or omissions of Respondent VALLEY INSURED PROPERTY  
7 MANAGEMENT, INC. as set forth in Paragraph 12, Issues 1 through 7, of the Accusation,  
8 constitutes cause for the suspension or revocation of all real estate licenses and license rights of  
9 Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. under the provisions of  
10 Sections 10177(d) and 10177(g) of the Business and Professions Code ("Code") for violations of  
11 Code section 10145 and sections 2832.1, 2831, 2831.1, 2831.2, 2834, and 2832, of Title 10,  
12 Chapter 6, California Code of Regulations ("Regulations") as set forth in Paragraph 12 of the  
13 Accusation.

14 II.

15 The conduct, acts and/or omissions of Respondent CHRISTOPHER RYAN WATKINS,  
16 as set forth in Paragraph 12, Issue 8, of the Accusation, constitutes cause for the suspension or  
17 revocation of all real estate licenses and license rights of Respondent CHRISTOPHER RYAN  
18 WATKINS under the provisions of Code section 10177(h) for violations of Code section  
19 10159.2 and Regulation 2725.

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1 any of the conditions, limitations or restrictions of a restricted license until two (2) years have  
2 elapsed from the effective date of this Decision and Order.

3 4a. Pursuant to Section 10148 of the Code, Respondent VALLEY INSURED  
4 PROPERTY MANAGEMENT, INC. shall pay the sum of \$9,940.46 for the Commissioner's  
5 cost of the audit which led to this disciplinary action. Respondent VALLEY INSURED  
6 PROPERTY MANAGEMENT, INC. shall pay such cost within sixty (60) days of receiving an  
7 invoice therefore from the Commissioner. Payment of audit costs should not be made until  
8 Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. receives the invoice. If  
9 Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. fails to satisfy this  
10 condition in a timely manner as provided for herein, Respondent VALLEY INSURED  
11 PROPERTY MANAGEMENT, INC.'s real estate license(s) shall automatically be suspended  
12 until payment is made in full, or until a decision providing otherwise is adopted following a  
13 hearing held pursuant to this condition.

14 4b. Pursuant to Section 10148 of the Code, Respondent shall pay the  
15 Commissioner's reasonable cost, not to exceed \$9,940.46, for an audit to determine if  
16 Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. has corrected the  
17 violations found in the Determination of Issues. In calculating the amount of the Commissioner's  
18 reasonable cost, the Commissioner may use the estimated average hourly salary for all persons  
19 performing audits of real estate brokers, and shall include an allocation for travel time to and  
20 from the auditor's place of work. Respondent VALLEY INSURED PROPERTY  
21 MANAGEMENT, INC. shall pay such cost within sixty (60) days of receiving an invoice  
22 therefore from the Commissioner. Payment of the audit costs should not be made until  
23 Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. receives the invoice. If  
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Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC. fails to satisfy this condition in a timely manner as provided for herein, Respondent VALLEY INSURED PROPERTY MANAGEMENT, INC.'s real estate license(s) shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

II.

All licenses and licensing rights of Respondent CHRISTOPHER RYAN WATKINS under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent CHRISTOPHER RYAN WATKINS pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Bureau the appropriate fee for the restricted license within 90 days from the effective date of this Decision and Order. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent CHRISTOPHER RYAN WATKINS may be suspended prior to hearing by Order of the Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.

2. The restricted license issued to Respondent CHRISTOPHER RYAN WATKINS may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.



1                   3. Respondent CHRISTOPHER RYAN WATKINS shall not be eligible to apply  
2 for the issuance of an unrestricted real estate license nor for removal of any of the conditions,  
3 limitations or restrictions of a restricted license until two (2) years have elapsed from the  
4 effective date of this Decision and Order.

5                   4. Respondent CHRISTOPHER RYAN WATKINS shall, prior to and as a  
6 condition of the issuance of the restricted license, submit proof satisfactory to the Commissioner  
7 of having taken and successfully completed the continuing education course on trust fund  
8 accounting and handling specified in paragraph (3) of subdivision (a) of Section 10170.5 of the  
9 Business and Professions Code. Proof of satisfaction of these requirements includes evidence  
10 that Respondent has successfully completed the trust fund account and handling continuing  
11 education courses, no earlier than 120 days prior to the effective date of the Decision and Order  
12 in this matter. Proof of completion of the trust fund accounting and handling course must be  
13 delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA  
14 95813-7013 or by fax at 916-263-8758, prior to the effective date of this Decision and Order.

15                   5. Respondent CHRISTOPHER RYAN WATKINS shall, within six (6) months  
16 from the effective date of this Decision and Order, take and pass the Professional Responsibility  
17 Examination administered by the Bureau including the payment of the appropriate examination  
18 fee. If Respondent fails to satisfy this condition, Respondent's real estate license shall  
19 automatically be suspended until Respondent passes the examination.

20                   6. Respondent CHRISTOPHER RYAN WATKINS shall, within nine (9) months  
21 from the effective date of this Decision and Order, present evidence satisfactory to the  
22 Commissioner that Respondent has, since the most recent issuance of an original or renewal real  
23 estate license, taken and successfully completed the continuing education requirements of Article  
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2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, Respondent's real estate license shall automatically be suspended until Respondent presents evidence satisfactory to the Commissioner of having taken and successfully completed the continuing education requirements. Proof of completion of the continuing education courses must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.

III.

Prior to the issuance of any restricted licenses to Respondents VALLEY INSURED PROPERTY MANAGEMENT, INC. and CHRISTOPHER RYAN WATKINS, Respondents shall, as a condition of the issuance of said restricted licenses, pay jointly or severally, the sum of \$2,870.50 for the Commissioner's reasonable costs of enforcement and investigation which led to this disciplinary action. Said payment shall be in the form of a cashier's check made payable to the Bureau of Real Estate. The investigative and enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

The Commissioner shall suspend Respondents' licenses pending a hearing held in accordance with California Government Code Section 11500, et seq., if payment is not timely made as provided for herein. The suspensions shall remain in effect until payment is made in full or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

DATED: Nov. 24, 2015

  
LISSETE GARCIA Counsel for Complainant

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We have read the Stipulation and Agreement, have discussed it with our counsel, and its terms are understood by us and are agreeable and acceptable to us. We understand that we are waiving rights given to us by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we 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 we would have the right to cross-examine witnesses against us and to present evidence in defense and mitigation of the charges.

Respondents 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 Respondents, to the Bureau at fax number (213) 576-6917. Respondents agree, acknowledge, and understand that by electronically sending to the Bureau a fax copy of their actual signatures as they appear on the Stipulation and Agreement, that receipt of the faxed copy by the Bureau shall be as binding on Respondents as if the Bureau had received the original signed Stipulation and Agreement.

DATED: 11/24/15

  
On behalf of VALLEY INSURED PROPERTY  
MANAGEMENT, INC., Respondent  
Printed Name Christopher R. Watkins

DATED: 11/24/15

  
CHRISTOPHER RYAN WATKINS, Respondent

*I have reviewed the Stipulation and Agreement as to form and content and have advised*

1 my clients accordingly.

2 DATED: 11/24/15

  
DANIEL K. GENTILE, ESQ.  
Attorney for Respondents

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5 The foregoing Stipulation and Agreement is hereby adopted as my Decision in  
6 this matter and shall become effective at 12 o'clock noon on \_\_\_\_\_.

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

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9 REAL ESTATE COMMISSIONER

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1 *my clients accordingly.*

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3 DATED: \_\_\_\_\_

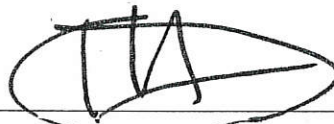
DANIEL K. GENTILE, ESQ.  
Attorney for Respondents

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5 \* \* \*

6 The foregoing Stipulation and Agreement is hereby adopted as my Decision in  
7 this matter and shall become effective at 12 o'clock noon on JAN 13 2016

8 IT IS SO ORDERED DECEMBER 16, 2017

9 WAYNE S. BELL  
REAL ESTATE COMMISSIONER

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11 By: JEFFREY MASON  
12 Chief Deputy Commissioner