

1 and in place thereof be submitted on the basis of the provisions of this Stipulation and Agreement
2 in Settlement and Order ("Stipulation").

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

6 3. On or about January 27, 2020, Respondents filed Notices of Defense pursuant to
7 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in
8 the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense.
9 Respondents acknowledge that they understand that by withdrawing said Notices of Defense they
10 will thereby waive their rights to require the Commissioner to prove the allegations in the
11 Accusation at a contested hearing held in accordance with the provisions of the APA and that they
12 will waive other rights afforded to them in connection with the hearing such as the right to present
13 evidence in defense of the 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.
15 In the interest of expedience and economy, Respondents choose not to contest these allegations, but
16 to remain silent, and understand that, as a result thereof, these factual allegations, without being
17 admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein.
18 The Real Estate Commissioner shall not be required to provide further evidence to prove said
19 factual allegations.

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

24 6. It is understood by the parties that the Real Estate Commissioner may adopt the
25 Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and
26 sanctions on Respondents' real estate licenses and license rights as set forth in the below "Order".
27 In the event that the Commissioner in his discretion does not adopt the Stipulation and Agreement,

1 it shall be void and of no effect, and Respondents shall retain the right to a hearing and proceeding
2 on the Accusation under all the provisions of the APA and shall not be bound by any admission or
3 waiver made herein.

4 7. The Order or any subsequent Order of the Real Estate Commissioner made
5 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any
6 further administrative or civil proceedings by the Department of Real Estate with respect to any
7 matters which were not specifically alleged to be causes for accusation in this proceeding but do
8 constitute a bar, estoppel and merger as to any allegations actually contained in the Accusation
9 against Respondents herein.

10 DETERMINATION OF ISSUES

11 By reason of the foregoing stipulations, admissions and waivers and solely for the
12 purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that
13 the following determination of issues shall be made:

14 The conduct of Respondents, as described in the Accusation, are in violation of
15 California Business and Professions Code ("Code") Sections 10145 and 10159.5, as well as Title
16 10, Chapter 6, California Code of Regulations ("Regulations") Sections 2731, 2831, 2831.1,
17 2831.2, 2832.1, and 2835¹ and are grounds for the suspension or revocation of all of the real estate
18 license and license rights of Respondents under the provision of Code Sections 10177(d), and (g) of
19 the Code. In addition, the Conduct of PETER COLLINS GREER ("GREER") and JON BUXER
20 ("BUXER"), as described in the Accusation, are in violation of Code Section 10159.2, as well as
21 Regulations Sections 2725, and are grounds for the suspension or revocation of the real estate
22 license and license rights of GREER and BUXER under the provision of Code Sections 10177(h)
23 of the Code.

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27 ¹ only as to STRATEGIC PROPERTY MANAGEMENT INC. and PETER COLLINS GREER

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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

(STRATEGIC PROPERTY MANAGEMENT INC.)

All licenses and license rights of Respondent STRATEGIC PROPERTY MANAGEMENT INC. ("SPMI") under the Real Estate Law are suspended for a period of one hundred and twenty (120) days from the effective date of this Decision;

A. Provided, however, that the initial sixty (60) days of said suspension shall be stayed for two (2) years upon the following terms and conditions:

1. Respondent SPMI shall pay a monetary penalty pursuant to Code section 10175.2 at the rate of \$50.00 per day for each of the sixty (60) days of suspension for a total monetary penalty of \$3,000.00.

2. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013, **prior to the effective date of this Decision and Order.**

3. No further cause for disciplinary action against the real estate license of Respondent SPMI occurs within two (2) years from the effective date of the Decision in this matter.

4. If Respondent SPMI fails to pay the monetary penalty in accordance with the terms and conditions of the Decision, the suspension shall go into effect automatically with regard to said Respondent. Respondent SPMI shall not be entitled to any repayment nor credit, prorated or otherwise, for money paid to the Department under the terms of this Decision and Order.

5. If Respondent SPMI pays the monetary penalty and if no further cause for disciplinary action against the real estate license of Respondent occurs within two (2) years from the effective date of the Decision, the stay hereby granted shall become permanent.

B. The remaining sixty (60) days of said suspension shall be stayed for two (2)

1 years upon the following terms and conditions:

2 1. That Respondent SPMI shall obey all laws, rules and regulations governing
3 the rights, duties and responsibilities of a real estate licensee in the State of California; and

4 2. That no final subsequent determination be made after hearing or upon
5 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date
6 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,
7 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should
8 no such determination be made under this section, the stay imposed herein shall become permanent.

9 II.

10 (PETER COLLINS GREER)

11 All licenses and license rights of Respondent PETER COLLINS GREER
12 under the Real Estate Law are suspended for a period of one hundred and twenty (120) days from
13 the effective date of this Decision;

14 A. Provided, however, that the initial sixty (60) days of said suspension shall be
15 stayed for two (2) years upon the following terms and conditions:

16 1. Respondent GREER shall pay a monetary penalty pursuant to Code section
17 10175.2 at the rate of \$50.00 per day for each of the sixty (60) days of suspension for a total
18 monetary penalty of \$3,000.00.

19 2. Said payment shall be in the form of a cashier's check made payable to the
20 Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag
21 Section, P.O. Box 137013, Sacramento, CA 95813-7013, **prior to the effective date of this**
22 **Decision and Order.**

23 3. No further cause for disciplinary action against the real estate license of
24 Respondent GREER occurs within two (2) years from the effective date of the Decision in this
25 matter.

26 4. If Respondent GREER fails to pay the monetary penalty in accordance with
27 the terms and conditions of the Decision, the suspension shall go into effect automatically with

1 regard to said Respondent. Respondent GREER shall not be entitled to any repayment nor credit,
2 prorated or otherwise, for money paid to the Department under the terms of this Decision and
3 Order.

4 5. If Respondent GREER pays the monetary penalty and if no further cause for
5 disciplinary action against the real estate license of Respondent occurs within two (2) years from
6 the effective date of the Decision, the stay hereby granted shall become permanent.

7 B. The remaining sixty (60) days of said suspension shall be stayed for two (2)
8 years upon the following terms and conditions:

9 1. That Respondent GREER shall obey all laws, rules and regulations
10 governing the rights, duties and responsibilities of a real estate licensee in the State of California;
11 and

12 2. That no final subsequent determination be made after hearing or upon
13 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date
14 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,
15 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should
16 no such determination be made under this section, the stay imposed herein shall become permanent.

17 C. Respondent GREER shall, within six (6) months from the effective date of this
18 Decision and Order, take and complete trust fund management course and filed proof of
19 completion of such course with the Department. If Respondent GREER fails to satisfy this
20 condition, Respondent's real estate license shall automatically be suspended until Respondent
21 provides such proof of completion.

22 III.

23 (JON BUXER)

24 All licenses and license rights of Respondent JON BUXER under the Real
25 Estate Law are suspended for a period of one hundred and twenty (120) days from the effective
26 date of this Decision;

27 A. Provided, however, that the initial sixty (60) days of said suspension shall be

1 stayed for two (2) years upon the following terms and conditions:

2 1. Respondent BUXER shall pay a monetary penalty pursuant to Code section
3 10175.2 at the rate of \$50.00 per day for each of the sixty (60) days of suspension for a total
4 monetary penalty of \$3,000.00.

5 2. Said payment shall be in the form of a cashier's check made payable to the
6 Department of Real Estate. Said check must be delivered to the Department of Real Estate, Flag
7 Section, P.O. Box 137013, Sacramento, CA 95813-7013, **prior to the effective date of this**
8 **Decision and Order.**

9 3. No further cause for disciplinary action against the real estate license of
10 Respondent BUXER occurs within two (2) years from the effective date of the Decision in this
11 matter.

12 4. If Respondent BUXER fails to pay the monetary penalty in accordance with
13 the terms and conditions of the Decision, the suspension shall go into effect automatically with
14 regard to said Respondent. Respondent BUXER shall not be entitled to any repayment nor credit,
15 prorated or otherwise, for money paid to the Department under the terms of this Decision and
16 Order.

17 5. If Respondent BUXER pays the monetary penalty and if no further cause for
18 disciplinary action against the real estate license of Respondent occurs within two (2) years from
19 the effective date of the Decision, the stay hereby granted shall become permanent.

20 B. The remaining sixty (60) days of said suspension shall be stayed for two (2)
21 years upon the following terms and conditions:

22 1. That Respondent BUXER shall obey all laws, rules and regulations
23 governing the rights, duties and responsibilities of a real estate licensee in the State of California;
24 and

25 2. That no final subsequent determination be made after hearing or upon
26 stipulation, that cause for disciplinary action occurred within two (2) years from the effective date
27 of this Decision. Should such a determination be made, the Commissioner may, in his discretion,

1 vacate and set aside the stay order and re-impose all or a portion of the stayed suspension. Should
2 no such determination be made under this section, the stay imposed herein shall become permanent.

3 C. Respondent BUXER shall, within six (6) months from the effective date of this
4 Decision and Order, take and complete trust fund management course and filed proof of
5 completion of such course with the Department. If Respondent BUXER fails to satisfy this
6 condition, Respondent's real estate license shall automatically be suspended until Respondent
7 provides such proof of completion.

8 IV.

9 (STRATEGIC PROPERTY MANAGEMENT INC., PETER COLLINS GREER, and JON
10 BUXER)

11 A. All licenses and licensing rights of Respondents STRATEGIC PROPERTY
12 MANAGEMENT INC., PETER COLLINS GREER, and JON BUXER are indefinitely suspended
13 unless or until Respondents pays the sum of \$4,677.05 for the Commissioner's reasonable costs of
14 the investigation and enforcement, which led to this disciplinary action. Said payment shall be in
15 the form of a cashier's check made payable to the Department of Real Estate. **The payment for the**
16 **investigative and enforcement costs must be delivered to the Department of Real Estate, Flag**
17 **Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this**
18 **Decision and Order.** If Respondents fail to satisfy this condition, the Commissioner shall order
19 suspension of Respondents' licenses and license rights until the sum is paid.

20 B. Pursuant to Code Sections 10148, Respondents shall pay the Commissioner's
21 reasonable costs for the audit which led to this disciplinary action in the amount of \$9,313.43.
22 Respondents shall pay such costs within ninety (90) days of receiving an invoice therefore from the
23 Commissioner. Payment of the audit costs should not be made until Respondents receives the
24 invoice. If Respondents fails to satisfy this condition in a timely manner as provided for herein,
25 Respondents' real estate licenses shall automatically be suspended until payment is made in full, or
26 until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

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V.

(STRATEGIC PROPERTY MANAGEMENT INC. and JON BUXER)

A. Pursuant to Code section 10148 of the Code, Respondents SPMI and BUXER shall pay the Commissioner's reasonable costs, not to exceed \$11,641.79, for a subsequent audit to determine if Respondents SPMI and BUXER has corrected the violations found in the Determination of Issues. In calculating the amount of the Commissioner's reasonable costs, the Commissioner may use the estimated average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work. **Respondents SPMI and BUXER shall pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner.** Payment of the audit costs should not be made until Respondents receives the invoice. If Respondents SPMI and BUXER fail to satisfy this condition in a timely manner as provided for herein, Respondents SPMI's and BUXER's real estate licenses 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.

DATED: 7/23/2021



Kevin H. Sun, Counsel for
Department of Real Estate

EXECUTION OF THE STIPULATION

We have read the Stipulation, 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 shall mail the original signed signature page of the stipulation herein to

1 Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350,
2 Los Angeles, California 90013-1105.

3 In the event of time constraints before an administrative hearing, Respondents can
4 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by
5 emailing a scanned copy of the signature page, as actually signed by Respondents, to the
6 Department counsel assigned to this case. Respondents agree, acknowledge and understand that by
7 electronically sending the Department a scan of Respondents' actual signature as it appears on the
8 Stipulation and Agreement that receipt of the scan by the Department shall be binding on
9 Respondents as if the Department had received the original signed Stipulation. Respondents shall
10 also mail the original signed signature page of this Stipulation to the Department counsel.

11 Respondents' signatures below constitute acceptance and approval of the terms and
12 conditions of this Stipulation. Respondents agree, acknowledge and understand that by signing this
13 Stipulation, Respondents are bound by its terms as of the date of such signatures and that this
14 agreement is not subject to rescission or amendment at a later date except by a separate Decision
15 and Order of the Real Estate Commissioner.

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17 DATED: 7/9/2021

Jon Buxer
STRATEGIC PROPERTY MANAGEMENT INC.
Respondent
By: Jon Buxer - Vice President

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21 DATED: _____

PETER COLLINS GREER, individually and
as former designated officer of Strategic Property
Management Inc.,
Respondent

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24 DATED: 7/9/2021

Jon Buxer
JON BUXER, individually and
as designated officer of Strategic Property Management Inc.,
Respondent

1 Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350,
2 Los Angeles, California 90013-1105.


3 In the event of time constraints before an administrative hearing, Respondents can
4 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by
5 emailing a scanned copy of the signature page, as actually signed by Respondents, to the
6 Department counsel assigned to this case. Respondents agree, acknowledge and understand that by
7 electronically sending the Department a scan of Respondents' actual signature as it appears on the
8 Stipulation and Agreement that receipt of the scan by the Department shall be binding on
9 Respondents as if the Department had received the original signed Stipulation. Respondents shall
10 also mail the original signed signature page of this Stipulation to the Department counsel.

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12 conditions of this Stipulation. Respondents agree, acknowledge and understand that by signing this
13 Stipulation, Respondents are bound by its terms as of the date of such signatures and that this
14 agreement is not subject to rescission or amendment at a later date except by a separate Decision
15 and Order of the Real Estate Commissioner.

17 DATED: _____

18 STRATEGIC PROPERTY MANAGEMENT INC.
19 Respondent
20 By: _____

21 DATED: 7-9-2002


22 PETER COLLINS GREER, individually and
23 as former designated officer of Strategic Property
24 Management Inc.,
25 Respondent

26 DATED: _____

27 JON BUXER, individually and
as designated officer of Strategic Property Management Inc.,
Respondent

1 DATED:

7-14-21 Frank M Buda

2 Frank M. Buda, Esq.
3 Counsel for Respondents
4 Approved as to Form

5 * * *

6 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
7 Respondent STRATEGIC PROPERTY MANAGEMENT INC., PETER COLLINS GREER, and
8 JON BUXER in this matter and shall become effective at 12 o'clock noon on
9 NOV 04 2021, 2021.

10 IT IS SO ORDERED 10.1.21, 2021.

11 DOUGLAS R. McCAULEY
12 REAL ESTATE COMMISSIONER

13 Douglas R. McCauley
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