

1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4
5 Telephone: (213) 576-6982
6
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FILED

OCT 04 2023

DEPT. OF REAL ESTATE

By John Aquil

8 **DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 ***

11 In the Matter of the Accusation of)

DRE No. H-03434 FR

12 INTERCONTINENTAL REALTY INC, and)
13 KRISTA ANN STEVENSON, individually, and)
14 as designated officer of Intercontinental Realty)
15 Inc.,)

STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

Respondents.)

16
17 It is hereby stipulated by and between Respondents INTERCONTINENTAL
18 REALTY INC and KRISTA ANN STEVENSON (collectively "Respondents") and their attorney
19 of record, Joshua A. Rosenthal, and the Complainant, acting by and through Kevin H. Sun, Counsel
20 for the Department of Real Estate, as follows for the purpose of settling and disposing of the
21 Accusations filed on August 2, 2022, in Case No. H-03434 FR:

22 1. All issues which were to be contested and all evidence which was to be presented
23 by Complainant and Respondents at a formal hearing on the Accusations, which hearing was to be
24 held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead
25 and in place thereof be submitted on the basis of the provisions of this Stipulation and Agreement
26 in Settlement and Order ("Stipulation").

27 2. Respondents have received, read and understand the Statement to Respondents,

1 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate in
2 this proceeding.

3 3. On or about August 8, 2022, Respondents filed Notices of Defense pursuant to
4 Section 11506 of the Government Code for the purpose of requesting a hearing on the allegations in
5 the Accusation. Respondents hereby freely and voluntarily withdraw said Notices of Defense.
6 Respondents acknowledge that they understand that by withdrawing said Notices of Defense they
7 will thereby waive their rights to require the Commissioner to prove the allegations in the
8 Accusation at a contested hearing held in accordance with the provisions of the APA and that they
9 will waive other rights afforded to them in connection with the hearing such as the right to present
10 evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

11 4. This Stipulation is based on the factual allegations contained in the Accusations.
12 In the interest of expedience and economy, Respondents choose not to contest these allegations, but
13 to remain silent, and understand that, as a result thereof, these factual allegations, without being
14 admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to herein.
15 The Real Estate Commissioner shall not be required to provide further evidence to prove said
16 factual allegations.

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

21 6. It is understood by the parties that the Real Estate Commissioner may adopt the
22 Stipulation as his Decision in this matter, thereby imposing the penalty and sanctions on
23 Respondents' real estate licenses and license rights as set forth in the below "Order". In the event
24 that the Commissioner in his discretion does not adopt the Stipulation and Agreement, it shall be
25 void and of no effect, and Respondents shall retain the right to a hearing and proceeding on the
26 Accusation under all the provisions of the APA and shall not be bound by any admission or waiver
27 made herein.

1 7. The Order or any subsequent Order of the Real Estate Commissioner made
2 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further
3 administrative or civil proceedings by the Department of Real Estate with respect to any matters
4 which were not specifically alleged to be causes for accusation in this proceeding.

5 **DETERMINATION OF ISSUES**

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

9 The conduct of Respondents, as described in the Accusation, are in violation of
10 California Business and Professions Code ("Code") 10145, 10159.2, 10159.5, 10176(e), and
11 10176(i) and Title 10, Chapter 6, California Code of Regulations ("Regulations") Sections 2725,
12 2731, 2831, 2831.1, 2831.2, 2832.1, 2832, and 2835 and are grounds for the suspension or
13 revocation of all of the real estate license and license rights of Respondents under the provision of
14 Code Section 10177(d), 10177(g) and 10177(h) (as to STEVENSON).

15 **ORDER**

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 (INTERCONTINENTAL REALTY INC)

19 All licenses and licensing rights of Respondent INTERCONTINENTAL REALTY
20 INC under the Real Estate Law are revoked; provided, however, a restricted real estate corporation
21 license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes
22 application therefor and pays to the Department the appropriate fee for the restricted license within
23 90 days from the effective date of this Decision and Order. The restricted license issued to
24 Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the
25 following limitations, conditions and restrictions imposed under authority of Section 10156.6 of
26 that Code:

27 1. The restricted license issued to Respondent 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 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.

3. Respondent shall not be eligible to petition for the issuance of any unrestricted real estate license nor for removal of any of the conditions, limitations or restrictions of a restricted license until two (2) years have elapsed from the effective date of this Decision and Order. Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching to the license have been removed.

II.

(KRISTA ANN STEVENSON)

All licenses and licensing rights of Respondent KRISTA ANN STEVENSON under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Code if Respondent makes application therefor and pays to the Department 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 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 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 shall not be eligible to petition for the issuance of any unrestricted
2 real estate license nor for removal of any of the conditions, limitations or restrictions of a restricted
3 license until two (2) years have elapsed from the effective date of this Decision and Order.
4 Respondent shall not be eligible to apply for any unrestricted licenses until all restrictions attaching
5 to the license have been removed.

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

15 5. All licenses and licensing rights of Respondent are indefinitely suspended
16 unless or until Respondent provides proof satisfactory to the Commissioner, of having taken and
17 successfully completed the continuing education course on trust fund accounting and handling
18 specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and Professions
19 Code. Proof of satisfaction of these requirements includes evidence that Respondent has
20 successfully completed the trust fund account and handling continuing education courses, no earlier
21 than 120 days prior to the effective date of the Decision and Order in this matter. **Proof of**
22 **completion of the trust fund accounting and handling course must be delivered to the**
23 **Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013 or**
24 **by fax at 916-263-8758, prior to the effective date of this Decision and Order.**

25 III.

26 (INTERCONTINENTAL REALTY INC and KRISTA ANN STEVENSON)

27 A. All licenses and licensing rights of Respondents are indefinitely suspended unless

1 or until Respondents pay the sum of **\$3,801.60** (\$2,390.40 investigation cost and \$1,411.20 for
2 enforcement cost) for the Commissioner's reasonable costs of the investigation and enforcement
3 which led to this disciplinary action. Said payment shall be in the form of a cashier's check made
4 payable to the Department of Real Estate. **The payment for the investigative and enforcement**
5 **costs must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,**
6 **Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order. If**
7 Respondents fail to satisfy this condition, the Commissioner shall order suspension of
8 Respondents' licenses and license rights until the sum is paid.

9 B. Pursuant to Code Sections 10148, Respondents shall pay the Commissioner's
10 reasonable costs for the audit which led to this disciplinary action in the amount of **\$14,046.50**, or
11 show proof of payment. Respondents shall pay such costs within sixty (60) days of receiving an
12 invoice therefore from the Commissioner. Payment of the audit costs should not be made until
13 Respondents receives the invoice. If Respondents fails to satisfy this condition in a timely manner
14 as provided for herein, Respondents' real estate licenses shall automatically be suspended until
15 payment is made in full, or until a decision providing otherwise is adopted following a hearing held
16 pursuant to this condition.

17 C. Pursuant to Code section 10148 of the Code, Respondents shall pay the
18 Commissioner's reasonable costs, not to exceed **\$17,558.12**, for a subsequent audit to determine if
19 Respondents has corrected the violations found in the Determination of Issues. In calculating the
20 amount of the Commissioner's reasonable costs, the Commissioner may use the estimated average
21 hourly salary for all persons performing audits of real estate brokers, and shall include an allocation
22 for travel time to and from the auditor's place of work. Respondents shall pay such costs within
23 sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of the audit costs
24 should not be made until Respondents receive the invoice. If Respondents fail to satisfy this
25 condition in a timely manner as provided for herein, Respondents' real estate licenses shall
26 automatically be suspended until payment is made in full, or until a decision, providing otherwise,
27 is adopted following a hearing held pursuant to this condition.

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2 DATED: 8/8/2023


Kevin H. Sun, Counsel for
Department of Real Estate

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6 **EXECUTION OF THE STIPULATION**

7 We have read the Stipulation, have discussed it with our counsel, and its terms are
8 understood by us and are agreeable and acceptable to us. We understand that we are waiving rights
9 given to us by the California Administrative Procedure Act (including but not limited to Sections
10 11506, 11508, 11509 and 11513 of the Government Code), and we willingly, intelligently and
11 voluntarily waive those rights, including the right of requiring the Commissioner to prove the
12 allegations in the Accusation at a hearing at which we would have the right to cross-examine
13 witnesses against us and to present evidence in defense and mitigation of the charges.

14 Respondents shall mail the original signed signature page of the stipulation herein to
15 Kevin H. Sun, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350,
16 Los Angeles, California 90013-1105.

17 In the event of time constraints before an administrative hearing, Respondents can
18 signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by
19 emailing a scanned copy of the signature page, as actually signed by Respondents, to the
20 Department counsel assigned to this case. Respondents agree, acknowledge and understand that by
21 electronically sending the Department a scan of Respondents' actual signature as it appears on the
22 Stipulation and Agreement that receipt of the scan by the Department shall be binding on
23 Respondents as if the Department had received the original signed Stipulation. Respondents shall
24 also mail the original signed signature page of this Stipulation to the Department counsel.

25 Respondents' signatures below constitute acceptance and approval of the terms and
26 conditions of this Stipulation. Respondents agree, acknowledge and understand that by signing this
27 Stipulation, Respondents are bound by its terms as of the date of such signatures and that this

1 agreement is not subject to rescission or amendment at a later date except by a separate Decision
2 and Order of the Real Estate Commissioner.

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4 DATED: Aug 8, 2023

Krista A. Stevenson
INTERCONTINENTAL REALTY INC
Respondent
By: Krista Ann Stevenson

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8 DATED: Aug 8, 2023

Krista Ann Stevenson
KRISTA ANN STEVENSON
Respondent

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10 DATED: 08/08/23

Joshua A. Rosenthal, Esq.
Counsel for Respondents
Approved as to Form

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14 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
15 Respondents INTERCONTINENTAL REALTY INC and KRISTA ANN STEVENSON in this
16 matter and shall become effective at 12 o'clock noon on

17 October 24, 2023.

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19 IT IS SO ORDERED 9/27/23, 2023.

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21 DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

22
23 Stewart L.
24 for Doug McCauley