


**FILED**

JUL 15 2016

BUREAU OF REAL ESTATE

By 

BUREAU OF REAL ESTATE  
320 West 4th Street, Suite 350  
Los Angeles, California 90013-1105  
Telephone: (213) 576-6982

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	CalBRE No. H-04779 SD
	)	OAH No. 2016031027
PROPERTY MANAGEMENT EXECUTIVES	)	
and CHRISTOPHER M. BUMP, licensed as	)	<u>STIPULATION AND AGREEMENT</u>
designated officer of Property Management	)	<u>IN SETTLEMENT AND ORDER</u>
Executives,	)	
	)	
Respondents.	)	
	)	

It is hereby stipulated by and between Respondents PROPERTY MANAGEMENT EXECUTIVES and CHRISTOPHER M. BUMP (collectively "Respondents") and their attorney, Steven C. Vondran, and Complainant, acting by and through Lissete Garcia, Counsel for the Bureau of Real Estate ("Bureau"), as follows for the purpose of settling and disposing the Accusation filed on March 3, 2016, with Bureau Case No. H-04779 SD ("Accusation") in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondents at a formal hearing on the Accusation, which hearing was to be

1 held in accordance with the provisions of the Administrative Procedure Act (herein "APA"),  
2 shall instead and in place thereof be submitted on the basis of the provisions of this Stipulation  
3 and Agreement in Settlement and Order (herein "Stipulation").

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

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

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

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

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

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

14 8. Respondents understand that by agreeing to this Stipulation, Respondents agree to  
15 pay, pursuant to Section 10148 of the California Business and Professions Code ("Code"), the  
16 cost of the audit which resulted in the determination that Respondent committed the violations  
17 found in the "Determination of Issues" below. The amount of said cost is \$7,423.20.

18 9. Respondents understand that by agreeing to this Stipulation, the findings set forth  
19 below in the "Determination of Issues" become final, and that the Commissioner may charge  
20 Respondents for the cost of any audit conducted pursuant to Section 10148 of the Code to  
21 determine if the trust fund violations found in the "Determination of Issues," below, have been  
22 corrected. The maximum cost of said audit shall not exceed \$9,279.00.



1 Regulation 2832.

2 The conduct, acts and/or omissions of Respondent CHRISTOPHER M. BUMP  
3 ("BUMP"), as set forth in Paragraph 12 of the Accusation, constitute cause for the suspension or  
4 revocation of all real estate licenses and license rights of Respondent BUMP under Code Section  
5 10177(h).

6 ORDER

7 I.

8 All licenses and license rights of Respondent PME are suspended for a period of 90 days  
9 from the effective date of this Decision and Order; provided, however, that:

10 1) 30 days of said suspension shall be stayed, upon the condition that Respondent PME  
11 petitions pursuant to Section 10175.2 of the Code and pays a monetary penalty pursuant to  
12 Section 10175.2 of the Code at a rate of \$100.00 per day for a total monetary penalty of  
13 \$3,000.00.

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

18 b) No further cause for disciplinary action against the Real Estate license of  
19 Respondent occurs within two (2) years from the effective date of the Decision and Order in this  
20 matter.

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1            c) If Respondent PME fails to pay the monetary penalty in accordance with the  
2 terms and conditions of this Decision and Order, the suspension shall go into effect  
3 automatically. Respondent shall not be entitled to any repayment nor credit, prorated or  
4 otherwise, for money paid to the Bureau under the terms of this Decision and Order.

5            d) If Respondent pays the monetary penalty and any other moneys due under this  
6 Stipulation and if no further cause for disciplinary action against the real estate license of  
7 Respondent occurs within two (2) years from the effective date of this Decision and Order, the  
8 entire stay hereby granted pursuant to this Decision and Order shall become permanent.

9            2) 60 days of said suspension shall be stayed for two (2) years upon the following terms  
10 and conditions:

11            a) Respondent shall obey all laws, rules and regulations governing the rights, duties  
12 and responsibilities of a real estate licensee in the State of California; and,

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

19            c) All licenses and licensing rights of Respondent PME are indefinitely suspended  
20 unless or until Respondent PME pays, jointly or severally with Respondent  
21 BUMP, the sum of \$1,346.25 for the Commissioner's reasonable cost of the  
22 investigation and enforcement which led to this disciplinary action. Said payment  
23 shall be in the form of a cashier's check made payable to the Bureau of Real  
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1 Estate. **The investigative and enforcement costs must be delivered to the**  
2 **Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA**  
3 **95813-7013, prior to the effective date of this Decision and Order.**

4 d) Pursuant to Section 10148 of the Code, Respondent PME shall pay, jointly or  
5 severally with Respondent BUMP, the sum of \$7,423.20 for the Commissioner's  
6 cost of the audit which led to this disciplinary action. **Respondents shall pay**  
7 **such cost within sixty (60) days of receiving an invoice therefore from the**  
8 **Commissioner.** Payment of audit costs should not be made until Respondents  
9 receive the invoice. If Respondents fail to satisfy this condition in a timely  
10 manner as provided for herein, Respondents' real estate licenses shall  
11 automatically be suspended until payment is made in full, or until a decision  
12 providing otherwise is adopted following a hearing held pursuant to this  
13 condition.

14 e) Pursuant to Section 10148 of the Code, Respondents shall pay the  
15 Commissioner's reasonable cost, not to exceed \$10,070.65, for an audit to  
16 determine if Respondents have corrected the violations found in the  
17 "Determination of Issues." In calculating the amount of the Commissioner's  
18 reasonable cost, the Commissioner may use the estimated average hourly salary  
19 for all persons performing audits of real estate brokers, and shall include an  
20 allocation for travel time to and from the auditor's place of work. **Respondents**  
21 **shall pay such cost within sixty (60) days of receiving an invoice therefore**  
22 **from the Commissioner.** Payment of the audit costs should not be made until  
23 Respondents receive the invoice. If Respondents fail to satisfy this condition in a  
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1 d) If Respondent pays the monetary penalty and any other moneys due under this  
2 Stipulation and if no further cause for disciplinary action against the real estate  
3 license of Respondent occurs within two (2) years from the effective date of this  
4 Decision and Order, the entire stay hereby granted pursuant to this Decision and  
5 Order shall become permanent.

6 2) 60 days of said suspension shall be stayed for two (2) years upon the following terms  
7 and conditions:

8 a) Respondent shall obey all laws, rules and regulations governing the rights,  
9 duties and responsibilities of a real estate licensee in the State of California;  
10 and,

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

18 c) All licenses and licensing rights of Respondent BUMP are indefinitely  
19 suspended unless or until Respondent BUMP pays, jointly or severally with  
20 Respondent PME, the sum of \$1,346.25 for the Commissioner's reasonable  
21 cost of the investigation and enforcement which led to this disciplinary action.  
22 Said payment shall be in the form of a cashier's check made payable to the  
23 Bureau of Real Estate. **The investigative and enforcement costs must be**  
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1 delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013,  
2 Sacramento, CA 95813-7013, prior to the effective date of this Decision  
3 and Order.

4 d) Respondent BUMP shall, within six (6) months from the effective date of  
5 this Decision and Order, take and pass the Professional Responsibility  
6 Examination administered by the Bureau including the payment of the  
7 appropriate examination fee. If Respondent BUMP fails to satisfy this  
8 condition, Respondent BUMP's real estate license shall automatically be  
9 suspended until Respondent BUMP passes the examination.

10 e) Respondent BUMP shall, within nine (9) months from the effective date of  
11 this Decision and Order, present evidence satisfactory to the Commissioner  
12 that Respondent BUMP has, since the most recent issuance of an original or  
13 renewal real estate license, taken and successfully completed the continuing  
14 education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for  
15 renewal of a real estate license. A course on Property Management must be  
16 included as part of the continuing education requirements. If Respondent  
17 BUMP fails to satisfy this condition, Respondent BUMP's real estate license  
18 shall automatically be suspended until Respondent BUMP presents evidence  
19 satisfactory to the Commissioner of having taken and successfully completed  
20 the continuing education requirements. **Proof of completion of the**  
21 **continuing education courses must be delivered to the Bureau of Real**  
22 **Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.**

1 f) Pursuant to Section 10148 of the Code, Respondent BUMP shall pay, jointly  
2 or severally with Respondent PME, the sum of \$7,423.20 for the  
3 Commissioner's cost of the audit which led to this disciplinary action.  
4 **Respondents shall pay such cost within sixty (60) days of receiving an**  
5 **invoice therefore from the Commissioner.** Payment of audit costs should  
6 not be made until Respondents receive the invoice. If Respondents fail to  
7 satisfy this condition in a timely manner as provided for herein, Respondents'  
8 real estate licenses shall automatically be suspended until payment is made in  
9 full, or until a decision providing otherwise is adopted following a hearing  
10 held pursuant to this condition.

11 g) Pursuant to Section 10148 of the Code, Respondents shall pay the  
12 Commissioner's reasonable cost, not to exceed \$10,070.65, for an audit to  
13 determine if Respondents have corrected the violations found in the  
14 "Determination of Issues." In calculating the amount of the Commissioner's  
15 reasonable cost, the Commissioner may use the estimated average hourly  
16 salary for all persons performing audits of real estate brokers, and shall  
17 include an allocation for travel time to and from the auditor's place of work.  
18 **Respondents shall pay such cost within sixty (60) days of receiving an**  
19 **invoice therefore from the Commissioner.** Payment of the audit costs  
20 should not be made until Respondents receive the invoice. If Respondents fail  
21 to satisfy this condition in a timely manner as provided for herein,  
22 Respondents' real estate licenses shall automatically be suspended until  
23 payment is made in full, or until a decision providing otherwise is adopted  
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1 following a hearing held pursuant to this condition.

2 6/9/2016

3 DATED

Lissete Garcia

Lissete Garcia, Counsel  
Bureau of Real Estate

4 \* \* \*

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

12 Respondents can signify acceptance and approval of the terms and conditions of this  
13 Stipulation and Agreement by faxing or electronically e-mailing a copy of the signature pages, as  
14 actually signed by Respondents, to the Bureau at fax number (213)576-6917. Respondents  
15 agree, acknowledge, and understand that by electronically sending to the Bureau a fax or other  
16 electronic copy of Respondents' actual signatures, as they appear on the Stipulation, that receipt  
17 of the faxed or e-mailed copy by the Bureau shall be as binding on Respondents as if the Bureau  
18 had received the original signed Stipulation. By signing this Stipulation, Respondents  
19 understand and agree that Respondents may not withdraw their agreement or seek to rescind the  
20 Stipulation prior to the time the Commissioner considers and acts upon it or prior to the effective  
21 date of the Stipulation and Order.

22 DATED: 5/23/2016

C 3 P  
On behalf of Respondent PROPERTY  
MANAGEMENT EXECUTIVES

Printed Name CHRISTOPHER BOWP

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5/23/2016

C B P

DATED

Respondent CHRISTOPHER M. BUMP

*I have reviewed the Stipulation and Agreement in Settlement and Order as to form and content and have advised my client accordingly.*

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

STEVEN C. VONDRAN  
Attorney for Respondents

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The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on \_\_\_\_\_, 2016.

IT IS SO ORDERED \_\_\_\_\_, 2016.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

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5/23/2016

DATED

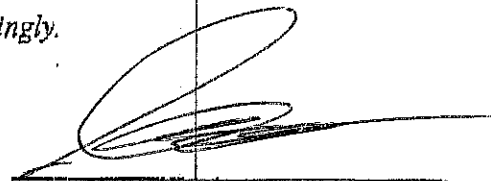
C 3 P

Respondent CHRISTOPHER M. BUMP

*I have reviewed the Stipulation and Agreement in Settlement and Order as to form and content and have advised my client accordingly.*

DATED:

5/24/16



STEVEN C. VONDRAN  
Attorney for Respondents

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The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on \_\_\_\_\_, 2016.

IT IS SO ORDERED \_\_\_\_\_, 2016.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

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DATED

Respondent CHRISTOPHER M. BUMP

*I have reviewed the Stipulation and Agreement in Settlement and Order as to form and content and have advised my clienst accordingly.*

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

STEVEN C. VONDRAN  
Attorney for Respondents

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The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by me as my Decision in this matter and shall become effective at 12 o'clock noon on

**AUG - 4 2016**, 2016.

IT IS SO ORDERED July 5, 2016.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER



By: JEFFREY MASON  
Chief Deputy Commissioner