

FILED

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DEPT. OF REAL ESTATE

By

Emma Rung

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	No. H-05194 SD
	)	
<u>COLLEEN CHILES,</u>	)	<u>STIPULATION AND AGREEMENT</u>
doing business as	)	
Chiles & Associates Real Estate Co, and	)	
ANNA CHRISTINE CHILES,	)	
	)	
Respondents.	)	

It is hereby stipulated by and between Respondent COLLEEN CHILES ("Respondent"), represented by Joseph C. Campo, and the Complainant, acting by and through Steve Chu, Counsel for the Department of Real Estate ("Department"), as follows for the purpose of settling and disposing of the Accusation filed on December 16, 2020, in this matter:

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement ("Stipulation").

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1 2. Respondent has received, read, and understands the Statement to
2 Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Department
3 of Real Estate in this proceeding.

4 3. On December 30, 2020, Respondent filed a Notice of Defense pursuant
5 to section 11506 of the Government Code for the purpose of requesting a hearing on the
6 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
7 of Defense. Respondent acknowledges that Respondent understands that by withdrawing said
8 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate
9 Commissioner ("Commissioner") to prove the allegations in the Accusation at a contested
10 hearing held in accordance with the provisions of the APA and that Respondent will waive
11 other rights afforded to Respondent in connection with the hearing such as the right to present
12 evidence in defense of the allegations in the Accusation and the right to cross-examine
13 witnesses.

14 4. Respondent, pursuant to the limitations set forth below, hereby admits
15 that the factual allegations in the Accusation filed in this proceeding are true and correct and the
16 Commissioner shall not be required to provide further evidence to prove such allegations.

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

24 6. The Order or any subsequent Order of the Commissioner made pursuant
25 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
26 civil proceedings by the Department with respect to any matters which were not specifically
27 alleged to be causes for the Accusation in this proceeding.

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

6 3. Respondent shall not be eligible to apply for the issuance of an
7 unrestricted real estate license, including designated officer or mortgage loan originator
8 endorsement, nor for the removal of any of the conditions, limitations or restrictions of a
9 restricted license until two (2) years have elapsed from the effective date of this Decision and
10 Order. Respondent withdraws all pending license applications.

11 4. All licenses, license endorsements, and license rights of Respondent
12 COLLEEN CHILES are indefinitely suspended unless or until Respondent COLLEEN CHILES
13 pays, jointly and severally with Respondent ANNA CHRISTINE CHILES, the sum of
14 \$7,984.20 for the Commissioner's reasonable cost of the investigation and enforcement which
15 led to this disciplinary action. Said payment shall be in the form of a cashier's check made
16 payable to the Department of Real Estate. The investigative and enforcement costs must be
17 delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
18 Sacramento, CA 95813-7013, prior to the effective date of this Decision and Order.

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

11 6. Respondent shall, within six (6) months from the effective date of this
12 Decision and Order, take and pass the Professional Responsibility Examination administered by
13 the Department including the payment of the appropriate examination fee. If Respondent fails
14 to satisfy this condition, all licenses, license endorsements, and license rights of Respondent
15 shall automatically be suspended until Respondent passes the examination.

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17 DATED: 5-5-2022



Steve Chu, Counsel
Department of Real Estate

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I have read the Stipulation and Agreement. I understand that I am waiving rights given to me by the California Administrative Procedure Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right to seek reconsideration and the right to seek judicial review of the Commissioner's Decision and Order by way of a writ of mandate.

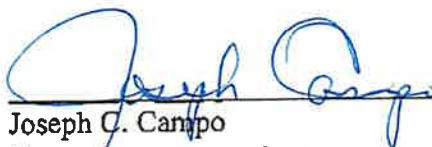
I agree, acknowledge, and understand that I cannot rescind or amend this Stipulation and Agreement.

I can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement by April 30, 2022, to: Steve Chu, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California 90013-1105. Steve Chu must receive the original signed Stipulation and Agreement or a copy faxed to (213) 576-6917 by April 30, 2022; if not, this Stipulation and Agreement is invalid and void because the sum for the Commissioner's reasonable cost of the investigation and enforcement which led to this disciplinary action will increase.

DATED: 4/20/2022


COLLEEN CHILES
Respondent

DATED: 5/2/22


Joseph C. Campo
Counsel for Respondent
Approved as to Form

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2 The foregoing Stipulation and Agreement is hereby adopted by me as my
3 Decision in this matter as to Respondent COLLEEN CHILES, and shall become effective
4 at 12 o'clock noon on 7/28/2022.

5 IT IS SO ORDERED 6.17.22

6 DOUGLAS R. McCAULEY
7 REAL ESTATE COMMISSIONER

8 Douglas R. McCauley
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