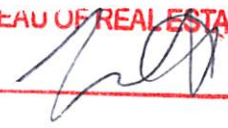


**FILED**

**MAR 01 2022**

**BUREAU OF REAL ESTATE**

By



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

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7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) DRE No. H-05240 SD  
12 )  
13 SUMMIT PROPERTY MANAGEMENT, INC.; )  
14 JENNIFER REBECCA RIMER, individually )  
15 and as Designated Officer of Summit Property )  
16 Management Inc.; and DANIEL JOSEPH COTE, ) STIPULATION AND AGREEMENT  
17 individually and as former Designated Officer of ) IN SETTLEMENT AND ORDER  
18 Summit Property Management Inc., )  
19 Respondents. )

20 It is hereby stipulated by and between Respondent DANIEL JOSEPH COTE  
21 (sometimes referred to as "Respondent" or "COTE"), individually and as former Designated  
22 Officer of Summit Property Management Inc., and the Complainant, acting by and through  
23 Judith B. Vasan, Counsel for the Department of Real Estate, as follows for the purpose of  
24 settling and disposing of the Accusation ("Accusation") filed on September 24, 2021, in this  
25 matter:

26 1. All issues which were to be contested and all evidence which was to be  
27 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

1 Stipulation and Agreement (“Stipulation”).

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

5           3. Respondent filed a Notice of Defense pursuant to Section 11506 of the  
6 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
7 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent  
8 acknowledges that he understands that by withdrawing said Notice of Defense Respondent  
9 thereby waives his right to require the Commissioner to prove the allegations in the Accusation  
10 at a contested hearing held in accordance with the provisions of the APA and that Respondent  
11 will waive other rights afforded to him in connection with the hearing such as the right to present  
12 evidence in their defense, and the right to cross-examine witnesses.

13           4. Respondent hereby admits that the factual allegations in the Accusation filed in  
14 this proceeding are true and correct and the Real Estate Commissioner shall not be required to  
15 provide further evidence of such allegations.

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

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

27 ///

1 DETERMINATION OF ISSUES

2 By reason of the foregoing, it is stipulated and agreed that the following  
3 determination of issues shall be made:

4 The conduct, acts or omissions of Respondent DANIEL JOSEPH COTE, as set  
5 forth in the Accusation, are in violation of Code sections 10145 and 10159.2 and Sections 2725,  
6 2831, 2831.1, 2831.2, 2832.1, and 2834 of Title 10, Chapter 6 of the California Code of  
7 Regulations (“Regulations”) and are a basis for discipline of Respondent COTE’s licenses and  
8 licensing rights pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

9 ORDER

10 WHEREFORE, THE FOLLOWING ORDER is hereby made:

11 I.

12 All licenses and licensing rights of Respondent DANIEL JOSEPH COTE under  
13 the Real Estate Law are suspended for a period of ninety (90) days from the effective date of this  
14 Decision;

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

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

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

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

27 ///

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

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

8 B. The remaining thirty (30) days of the ninety (90) day suspension shall be  
9 stayed for two (2) years upon the following terms and conditions:

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

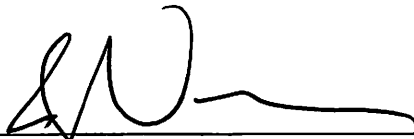
13 2. That no final subsequent determination be made after hearing or upon  
14 stipulation, that cause for disciplinary action occurred within two (2) years from the effective  
15 date of this Decision. Should such a determination be made, the Commissioner may, in his  
16 discretion, vacate and set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

19 II.

20 All licenses and license rights of Respondent COTE are indefinitely suspended  
21 unless or until Respondent COTE pays his proportionate share of \$362.21 for the  
22 Commissioner's reasonable costs of the investigation (totaling \$673.85) in Investigation No.  
23 320-1028-003 and enforcement (totaling \$412.80) in Case No. H-05240 SD, which led to this  
24 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the  
25 Department of Real Estate. The payment of the investigative and enforcement costs must be  
26 delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA  
27 95813-7013, prior to the effective date of this Decision and Order.

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DATED: 12-22-2021

  
\_\_\_\_\_  
Judith B. Vasan, Counsel for  
Department of Real Estate

\* \* \*

EXECUTION OF THE STIPULATION

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

Respondent shall mail the original signed signature page of the stipulation herein to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105.

In the event of time constraints before an administrative hearing, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by emailing a scanned copy of the signature page, as actually signed by Respondent, to the Department counsel assigned to this case. Respondent agrees, acknowledges and understands that by electronically sending the Department a scan of Respondent's actual signature as it appears on the Stipulation and Agreement that receipt of the scan by the Department shall be binding on Respondent as if the Department had received the original signed Stipulation. Respondent shall also mail the original signed signature page of this Stipulation to the Department counsel.

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Respondent's signature below constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by signing this Stipulation, Respondent is bound by its terms as of the date of such signatures and that this agreement is not subject to rescission or amendment at a later date except by a separate Decision and Order of the Real Estate Commissioner.

DATED: December 10, 2021 Daniel Joseph Cote

DANIEL JOSEPH COTE, individually and as former Designated Officer of Summit Property Management Inc.  
Respondent

\* \* \*

The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent DANIEL JOSEPH COTE and shall become effective at 12 o'clock noon on MAR 21 2022.

IT IS SO ORDERED 2.25.22.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

Douglas R. McCauley

**FILED**

MAR 01 2022

BUKEAU OF REAL ESTATE

By \_\_\_\_\_



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

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7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) DRE No. H-05240 SD  
12 )  
13 SUMMIT PROPERTY MANAGEMENT, INC.: )  
14 JENNIFER REBECCA RIMER, individually )  
15 and as Designated Officer of Summit Property )  
16 Management Inc.; and DANIEL JOSEPH COTE, ) STIPULATION AND AGREEMENT  
17 individually and as former Designated Officer of ) IN SETTLEMENT AND ORDER  
18 Summit Property Management Inc., )  
19 Respondents. )

20 It is hereby stipulated by and between Respondents SUMMIT PROPERTY  
21 MANAGEMENT, INC. (“SPMI”) and JENNIFER REBECCA RIMER (“RIMER”), individually  
22 and as Designated Officer of Summit Property Management Inc. (sometimes collectively  
23 referred to as “Respondents”) and the Complainant, acting by and through Judith B. Vasan,  
24 Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing  
25 of the Accusation (“Accusation”) filed on September 24, 2021, in this matter:

26 1. All issues which were to be contested and all evidence which was to be  
27 presented by Complainant and Respondents 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

STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER



1 this Stipulation and Agreement (“Stipulation”).

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

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

13                   4. Respondents hereby admit that the factual allegations in the Accusation filed in  
14 this proceeding are true and correct and the Real Estate Commissioner shall not be required to  
15 provide further evidence of such allegations.

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

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

27 ///



1 DETERMINATION OF ISSUES

2 By reason of the foregoing, it is stipulated and agreed that the following  
3 determination of issues shall be made:

4 The conduct, acts or omissions of Respondent SUMMIT PROPERTY  
5 MANAGEMENT, INC., as set forth in the Accusation, are in violation of Code section 10145  
6 and Sections 2831, 2831.1, 2831.2, 2832.1, and 2834 of Title 10, Chapter 6 of the California  
7 Code of Regulations (“Regulations”) and are a basis for discipline of Respondent SUMMIT  
8 PROPERTY MANAGEMENT, INC.’s licenses and licensing rights pursuant to Code sections  
9 10177(d), and/or 10177(g).

10 The conduct, acts or omissions of Respondent JENNIFER REBECCA RIMER, as  
11 set forth in the Accusation, are in violation of Code sections 10145 and 10159.2 and Regulations  
12 sections 2725, 2831, 2831.1, 2831.2, 2832.1, and 2834 and are a basis for discipline of  
13 Respondent RIMER’s licenses and licensing rights pursuant to Code sections 10177(d),  
14 10177(g), and/or 10177(h).

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 (SUMMIT PROPERTY MANAGEMENT, INC.)

18 I.

19 All licenses and licensing rights of Respondent SUMMIT PROPERTY  
20 MANAGEMENT, INC. under the Real Estate Law are suspended for a period of ninety (90)  
21 days from the effective date of this Decision;

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

24 1. Respondent SPMI shall pay a monetary penalty pursuant to Code section  
25 10175.2 at the rate of \$50.00 per day for each of the sixty (60) days of suspension for a total  
26 monetary penalty of \$3,000.00.

27 ///

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

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

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

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

15                   B. The remaining thirty (30) days of the ninety (90) day suspension shall be  
16 stayed for two (2) years upon the following terms and conditions:

17                   1. That Respondent SMPMI shall obey all laws, rules and regulations  
18 governing the rights, duties and responsibilities of a real estate licensee in the State of California;  
19 and

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

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1 II.

2 Pursuant to Code section 10148 of the Code, Respondent SPMI shall pay the  
3 Commissioner's reasonable costs, not to exceed \$10,087.50, for a subsequent audit to determine  
4 if Respondent SPMI has corrected the violations found in the Determination of Issues. In  
5 calculating the amount of the Commissioner's reasonable costs, the Commissioner may use the  
6 estimated average hourly salary for all persons performing audits of real estate brokers, and shall  
7 include an allocation for travel time to and from the auditor's place of work. Respondent SPMI  
8 shall pay such costs within sixty (60) days of receiving an invoice therefor from the  
9 Commissioner. Payment of the audit costs should not be made until Respondent receives the  
10 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,  
11 Respondent's real estate licenses shall automatically be suspended until payment is made in full,  
12 or until a decision providing otherwise is adopted following a hearing held pursuant to this  
13 condition.

14 III.

15 All licenses and license rights of Respondent SPMI are indefinitely suspended  
16 unless or until Respondent SPMI pays its proportionate share of \$362.21 for the Commissioner's  
17 reasonable costs of the investigation (totaling \$673.85) in Investigation No. 320-1028-003 and  
18 enforcement (totaling \$412.80) in Case No. H-05240 SD, which led to this disciplinary action.  
19 Said payment shall be in the form of a cashier's check made payable to the Department of Real  
20 Estate. The payment of the investigative and enforcement costs must be delivered to the  
21 Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA 95813-7013,  
22 prior to the effective date of this Decision and Order.

23 (JENNIFER REBECCA RIMER)

24 IV.

25 All licenses and licensing rights of Respondent JENNIFER REBECCA RIMER  
26 under the Real Estate Law are suspended for a period of ninety (90) days from the effective date  
27 of this Decision;

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

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

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

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

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

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

21                  B. The remaining thirty (30) days of the ninety (90) day suspension shall be  
22 stayed for two (2) years upon the following terms and conditions:

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

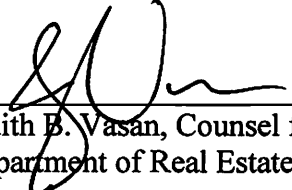
26                  2. That no final subsequent determination be made after hearing or upon  
27 stipulation, that cause for disciplinary action occurred within two (2) years from the effective

1 date of this Decision. Should such a determination be made, the Commissioner may, in his  
2 discretion, vacate and set aside the stay order and re-impose all or a portion of the stayed  
3 suspension. Should no such determination be made under this section, the stay imposed herein  
4 shall become permanent.

5 V.

6 All licenses and license rights of Respondent RIMER are indefinitely suspended  
7 unless or until Respondent RIMER pays her proportionate share of \$362.21 for the  
8 Commissioner's reasonable costs of the investigation (totaling \$673.85) in Investigation No.  
9 320-1028-003 and enforcement (totaling \$412.80) in Case No. H-05240 SD, which led to this  
10 disciplinary action. Said payment shall be in the form of a cashier's check made payable to the  
11 Department of Real Estate. The payment of the investigative and enforcement costs must be  
12 delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013, Sacramento, CA  
13 95813-7013, prior to the effective date of this Decision and Order.

14  
15  
16 DATED: 12-22-2021

17   
18 Judith B. Vasan, Counsel for  
19 Department of Real Estate

20 \* \* \*

21 EXECUTION OF THE STIPULATION

22 We have read the Stipulation and its terms are understood by us and are agreeable  
23 and acceptable to us. We understand that we are waiving rights given to us by the California  
24 Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and  
25 11513 of the Government Code), and we willingly, intelligently and voluntarily waive those  
26 rights, including the right of requiring the Commissioner to prove the allegations in the  
27 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.


///

1 Respondents shall mail the original signed signature page of the stipulation herein  
2 to Judith B. Vasan, Attention: Legal Section, Department of Real Estate, 320 W. Fourth St.,  
3 Suite 350, Los Angeles, California 90013-1105.


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

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

17  
18 DATED: 12-10-2021

  
SUMMIT PROPERTY MANAGEMENT INC.  
Respondent  
By: Jennifer Rimer

19  
20  
21 DATED: 12-10-2021

  
JENNIFER REBECCA RIMER, individually and  
as Designated Officer of Summit Property Management  
Inc.  
Respondent

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondents SUMMIT PROPERTY MANAGEMENT INC. and JENNIFER REBECCA RIMER, individually and as Designated Officer of Summit Property Management Inc, and shall become effective at 12 o'clock noon on MAR 21 2022.

IT IS SO ORDERED 2.25.22.

DOUGLAS R. McCAULEY  
REAL ESTATE COMMISSIONER

