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2	Department of Real Estate P.O. BOX 137007			
3	KYLE T. JONES, Counsel (SBN 300751) Department of Real Estate P.O. BOX 137007 Sacramento, CA 95813-7007  NOV 1 4 2022 DEPARTMENT OF DEPARTMENT			
4	Telephone: (916) 576-8700			
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9	BEFORE THE DEPARTMENT OF REAL ESTATE			
10	STATE OF CALIFORNIA			
11	* * *			
12	In the Matter of the Accusation Against ) DRE No. H-5697 SD			
13	)			
14	BRIANNA LEIGH WATERS ) ACCUSATION			
15	Respondent.			
16				
17	The Complainant, VERONICA KILPATRICK, acting in her official capacity as			
18	a Supervising Special Investigator of the State of California, for this Accusation against			
19	BRIANNA LEIGH WATERS ("Respondent"), is informed and alleges as follows:			
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21	At all times mentioned herein, Respondent was, and is presently licensed and/or			
22	has license rights by the Department of Real Estate ("Department"), under the California			
23	Business and Professions Code ("Code") as a real estate salesperson, License No. 02073777.			
24	2			
25	Respondent currently holds a Mortgage Loan Originator ("MLO") license			
26	endorsement with the Department with the assigned National Mortgage Licensing System and			
27	<i>'</i>			
I	I .			

Registry ("NMLS") No. 950262. Respondent is currently authorized to represent CDL 1 2 Mortgage Services, Inc. with NMLS No. 1140264. 3 **NMLS Continuing Education** 3 4 5 The State Regulatory Registry LLC ("SRR"), which owns and operates the 6 NMLS, administers pre-licensing education and CE and Uniform State Test protocols. Title V 7 of Public Law 110-289, the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 ("the SAFE Act"), requires that state-licensed MLOs complete annual continuing education 8 9 ("CE"). In order to meet CE requirements contemplated under the SAFE Act, state-licensed MLOs must complete eight (8) hours of NMLS-approved education per year. (Code section 10 11 10166.10(a).) 12 STATEMENT OF FACTS 13 On or about December 1, 2019, Respondent acquired completion credits for 8 14 15 hours of NMLS-approved CE education from the course provider Danny Yen, dba Real Estate 16 Educational Services ("REES"). Respondent was supposed to have attended an 8 hour in 17 person class, perform coursework, and pass an exam. Respondent did not attend class, perform 18 coursework, or pass the exam to receive credit for the 8 hours of CE. 19 5 20 On or about August 29, 2020, Respondent acquired completion credits for 8 21 hours of NMLS-approved CE education from the course provider REES. Respondent was 22 supposed to have attended an 8 hour in person class, perform coursework, and pass an exam. 23 Respondent did not attend class, perform coursework, or pass the exam to receive credit for the 24 8 hours of CE. 25 /// 26 27

<b>GROUNDS</b>	<b>FOR</b>	DISCIPL	INE
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By obtaining course credits without attending the CE courses, failing to complete the course work, and failing to complete the required exams, as alleged in Paragraphs 4 and 5, Respondent does not meet the minimum criteria for licensure under Section 10166.05(c) of the Code.

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The conduct of Respondent, as alleged in Paragraphs 4 and 5, constitutes grounds for the suspension or revocation of Respondent's license, MLO license endorsement, and license rights pursuant to the provisions of Sections 10166.051(a) (violation of law or regulation related to MLO license), 10166.05(b) (fail to meet the requirements of Section 10166.5 or 10166.09, withhold information, or make a material misstatement in renewal application), 10177(d) (willful disregard or violation of real estate law), 10177(g) (negligence or incompetence) and/or 10177(j) (fraud or dishonest dealing) of the Code.

## COST RECOVERY

The Department will seek to recover the costs of the investigation and prosecution of this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against the license(s), MLO endorsement, and/or license rights of Respondent BRIANNA LEIGH WATERS under the Real Estate Law, for the costs of

1	investigation and enforcement as permitted by law and for such other and further relief as may				
2	be proper under other applicable provisions of law.				
3	Nov. 10, 2022				
4	Dated at San Diego, California this Nov 10, 2022 day of Nov 10, 2022, 2022.				
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7	Veronica Kilpatrick ————————————————————————————————————				
8	Veronica Kilpatrick				
9	Supervising Special Investigator				
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