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DEPT. OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
KRISTOPHER DANIEL SAENZ,
Respondent.

No. H-05876-SD

FIRST AMENDED ACCUSATION

This First Amended Accusation amends the Accusation filed on April 9, 2025. The Accusation filed on April 9, 2025 ("original Accusation"), is amended to allege facts based on the Department of Real Estate's ("Department" or "DRE") receipt, on April 15, 2025, of a copy of the Judgment and Probation/Commitment Order for Kris Saenz, dated April 25, 2022, and signed by the Honorable Stephen V. Wilson, United States District Judge of the United States District Court for the Central District of California in the case of *United States of America v. Kris Saenz*, Case No. 18-cr-272-SVW. Paragraphs 3, 8, and 9 have been amended based on the Judgment and Probation/Commitment Order. No other parts of the original Accusation are affected.

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator for the Department of Real Estate ("Department" or "DRE") of the State of California, for cause of Accusation against KRISTOPHER DANIEL SAENZ, also known as Kris Saenz ("Respondent"), is informed and alleges in her official capacity as follows:

1. The Complainant, Veronica Kilpatrick, acting in her official capacity as a Supervising Special Investigator, makes this Accusation against Respondent.

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FIRST AMENDED ACCUSATION

1 2. Respondent presently has license rights under the Real Estate Law, Part 1 of Division
2 4 of the California Business and Professions Code ("Code"), as a real estate broker ("REB") (DRE
3 license identification number 01996496).

4 FIRST CAUSE OF ACCUSATION

5 (CRIMINAL CONVICTION)

6 3. On or about April 25, 2022, in the United States District Court for the Central District
7 of California, in the case of *United States of America v. Kris Saenz*, Case No. 18-cr-272-SVW,
8 Respondent was convicted based on his guilty plea to Count One of the Information for violation of
9 Title 18 of the United States Code ("U.S.C."), section 371 (conspiracy to commit wire fraud
10 involving deprivation of honest services), a felony. The court sentenced Respondent to three (3)
11 years of probation on terms and conditions including but not limited to: participating for a period of
12 eight (8) months in a home detention program; not being be employed by, affiliated with, own,
13 control, volunteer for, or otherwise participate, directly or indirectly, in any business involving real
14 estate sales without the express written approval of the Probation Officer prior to engaging in such
15 employment; reporting his conviction to the California Bureau of Real Estate;^{1/} paying a special
16 assessment of \$100, and paying restitution in the amount of \$19,564.00. Complainant is ignorant of
17 the allegations of the Information, when the Information was filed, and the actual terms of
18 Respondent's guilty plea, and plea agreement, because, based on information and belief, the court
19 records related to his federal criminal conviction in Case No. 18-cr-272-SVW were filed under seal.
20 Complainant will amend this First Amended Accusation to allege the allegations of the Information,
21 when the Information was filed, and the actual terms of Respondent's guilty plea, and plea
22 agreement if and when such terms are ascertained.

23 4. The conviction, as described in Paragraph 3 above, bears a substantial relationship
24 under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,
25 functions, or duties of a real estate licensee.

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27 ^{1/} In 2018, amendments to California Business and Professions Code sections 10004, 10005, and 10050 took effect
28 renaming the Bureau of Real Estate to the Department of Real Estate and establishing the DRE as a stand-alone
department within the Business, Consumer Services, and Housing Agency, rather than a bureau within the Department
of Consumer Affairs.

1 5. The crime for which Respondent was convicted, as described in Paragraph 3 above,
2 constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation of the
3 license and license rights of Respondent under the Real Estate Law.

4 SECOND CAUSE OF ACCUSATION

5 (FAILURE TO REPORT FELONY CHARGE AND CONVICTION)

6 6. The Complainant realleges and incorporates by reference all of the allegations
7 contained in paragraphs 1 through 5 above, with the same force and effect as though fully set forth
8 herein.

9 7. Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "The
10 bringing of a criminal complaint, information, or indictment charging a felony against the licensee,"
11 and "The conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest,
12 of any felony or misdemeanor" to the Department within thirty (30) days of the of the date of the
13 bringing of the indictment or the charging of a felony, and of the conviction.

14 8. Complainant is informed and believes and thereon alleges that an Information was
15 filed against Respondent on or before April 25, 2022, in the United States District Court for the
16 Central District of California, in the case of *United States of America v. Kris Saenz*, Case No. 18-
17 cr-272-SVW charging Respondent with violating 18 U.S.C. section 371 (conspiracy to commit wire
18 fraud involving deprivation of honest services), a felony. Complainant is informed and believes and
19 thereon alleges that Respondent failed to report in writing to the Department the bringing of an
20 information charging a felony against him, and his conviction described in Paragraph 3 above,
21 within thirty (30) days of the bringing of an information charging a felony against him, and of the
22 conviction. Complainant is ignorant of the actual date the Information was filed against him because,
23 based on information and belief, the court records related to his federal criminal conviction in Case
24 No. 18-cr-272-SVW were filed under seal. Complainant will amend this First Amended Accusation
25 to allege the date the Information was filed against Respondent, if and when ascertained.

26 9. Complainant is informed and believes and thereon alleges Respondent's failure to
27 timely report the bringing of the Information charging a felony and his conviction violates Code

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1 section 10186.2 and constitutes cause under Code sections 10186.2 and 10177(d) for the suspension
2 or revocation of the license and license rights of Respondent under the Real Estate Law.

3 COSTS

4 (COSTS OF INVESTIGATION AND ENFORCEMENT)

5 10. California Business and Professions Code section 10106, provides, in pertinent part,
6 that in any order issued in resolution of a disciplinary proceeding before the Department of Real
7 Estate, the Commissioner may request the administrative law judge to direct a licensee found to
8 have committed a violation of this part to pay a sum not to exceed the reasonable costs of the
9 investigation and enforcement of the case.

10 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this
11 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against
12 all the licenses and license rights of Respondent KRISTOPHER DANIEL SAENZ under the Real
13 Estate Law, for the costs of investigation and enforcement as permitted by law, and for such other
14 and further relief as may be proper under other applicable provisions of law.

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16 Dated April 17, 2025, at San Diego, California.

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19 _____
20 Veronica Kilpatrick
Supervising Special Investigator

21 cc: KRISTOPHER DANIEL SAENZ
22 Veronica Kilpatrick
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