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JUL - 2 2015

BUREAU OF REAL ESTATE

By K. Contreras

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

KELLY LYNN BROWN,
TAMI S. SANER,
KENNETH ANDREW PATTERSON,
KYMM MICHELLE EMBRY, and
DANCE HALL INVESTORS, Inc. a
Corporation,

Respondents,

NO. H-6145 SAC

STIPULATION AND AGREEMENT
IN SETTLEMENT AND ORDER

AS TO RESPONDENT TAMI S.
SANER ONLY

It is hereby stipulated by and between Respondent TAMI S. SANER (herein "Respondent") by and through Frank M. Buda, attorney of record herein for Respondent, and the Complainant, acting by and through Mary F. Clarke, Counsel for the Bureau of Real Estate (herein "the Bureau"), as follows for the purpose of settling and disposing the Accusation filed on June 27, 2014, in this matter (herein "Accusation"):

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 (herein "APA"), shall instead and in place thereof be submitted on the basis of the provisions of this Stipulation and Agreement in Settlement and Order (herein "Stipulation").

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

3 3. A Notice of Defense was filed on August 22, 2014 by Respondent pursuant to
4 Section 11505 of the Government Code for the purpose of requesting a hearing on the allegations
5 in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice of Defense.
6 Respondent acknowledges she understands that by withdrawing said Notice of Defense she will
7 thereby waive her rights to require the Real Estate Commissioner (herein "the Commissioner") to
8 prove the allegations in the Accusation at a contested hearing held in accordance with the
9 provisions of the APA and that she will waive other rights afforded to her in connection with the
10 hearing such as the right to present evidence in defense of the allegations in the Accusation and
11 the right to cross-examine witnesses.

12 4. This Stipulation is based on the factual allegations contained in the Accusation.
13 In the interests of expedience and economy, Respondent chose not to contest these allegations,
14 but to remain silent and understands that, as a result thereof, these factual allegations, without
15 being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to
16 herein. The Commissioner shall not be required to provide further evidence to prove said factual
17 allegations.

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

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

1 7. Respondent understands that by agreeing to this Stipulation, Respondent agrees
2 to pay, pursuant to Section 10106(a) of the Code, investigative and enforcement costs of
3 \$2,200.00 which led to this disciplinary action.

4 DETERMINATION OF ISSUES

5 The acts and/or omissions of Respondent as described in the Accusation are
6 grounds for the suspension or revocation of the license and license rights of Respondent under
7 Section 10177(g) of the Code.

8 ORDER

9 All licenses and licensing rights of Respondent under the Real Estate Law are
10 publicly reprovved pursuant to Section 495 of the Code provided, however, that the license and
11 licensing rights of Respondent are indefinitely suspended unless or until Respondent pays the
12 sum of \$2,200.00 for the Commissioner's reasonable cost of the investigation and enforcement
13 which led to this disciplinary action. Said payment shall be in the form of a cashier's check
14 made payable to the Bureau of Real Estate. The investigative and enforcement costs must be
15 delivered to the Bureau of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA
16 95813-7013, prior to the effective date of this Order.

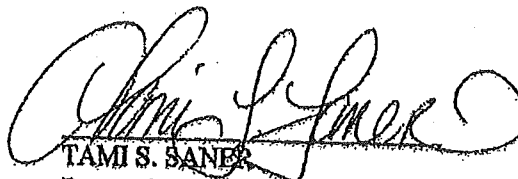
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19 6-15-15
20 DATED

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MARY F. CLARKE, Counsel

22 I have read this Stipulation and its terms are understood by me and are agreeable
23 and acceptable to me. I understand that I am waiving rights given to me by the California APA
24 (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government
25 Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of
26 requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I
27

1 would have the right to cross-examine witnesses against me and to present evidence in defense
2 and mitigation of the charges.


3
4 June 18th 2015
5 DATED


TAMI S. SANER
Respondent

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

10 6-15-2015
11 DATED


FRANK M. BUDA
Attorney for Respondent

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

16 JUL 22 2015

17 IT IS SO ORDERED

June 20, 2015

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20 REAL ESTATE COMMISSIONER



21 By: JEFFREY MASON
22 Chief Deputy Commissioner
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