

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 137007
3 Sacramento, CA 95813-7007

4 Telephone: (916) 576-7848
5 Fax: (916) 263-3767

FILED

MAY 07 2021

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

12	In the Matter of the Accusation of)	DRE No. H-6953 SAC
13	ALEXIS ZACHROS MCGEE,)	
14	Respondent.)	<u>STIPULATION AND AGREEMENT</u>
15)	<u>IN SETTLEMENT AND ORDER</u>

16 It is hereby stipulated by and between ALEXIS ZACHROS MCGEE
17 (Respondent), her Counsel, Karen Goodman, and the Complainant, acting by and through
18 Richard K. Uno, Counsel for the Department of Real Estate (Department); as follows for the
19 purpose of settling and disposing of the Accusation filed on May 28, 2020, in this matter:

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

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

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

10 4. This Stipulation is based on the factual allegations contained in the
11 Accusation. In the interest of expediency and economy, Respondent chooses not to contest these
12 factual allegations with the exceptions of Paragraphs 7 and 13 of the Accusation filed herein,
13 which Respondent denies, but to remain silent and understands that, as a result thereof, these
14 factual statements will serve as a prima facie basis for the "Determination of Issues" and "Order"
15 set forth below. The Commissioner shall not be required to provide further evidence to prove
16 such allegations.

17 5. It is understood by the parties that the Commissioner may adopt the
18 Stipulation as his Decision and Order in this matter, thereby imposing the penalty and sanctions
19 on Respondent's real estate license 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 and
21 of no effect, and Respondent shall retain the rights 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 to
25 this Stipulation shall not constitute an estoppel, merger, or bar to any further administrative or
26 civil proceedings by the Department of Real Estate with respect to any matters which were not
27 specifically alleged to be causes for accusation in this proceeding.

1 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
2 Law, Regulations of the Commissioner or conditions attaching to the restricted license.

3 3. Respondent shall not be eligible to apply for the issuance of any
4 unrestricted real estate license nor the removal of any of the conditions, limitations, or
5 restrictions of a restricted until two (2) years have elapsed from the effective date of this
6 Stipulation. Respondent shall not be eligible to apply for any unrestricted licenses until all
7 restrictions attaching to the license have been removed.

8 4. Respondent shall, within nine (9) months from the effective date of this
9 Stipulation, present evidence satisfactory to the Commissioner that Respondent has, since the
10 most recent issuance of an original or renewal real estate license, taken and successfully
11 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
12 Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
13 Respondent's real estate license shall automatically be suspended until Respondent presents
14 evidence satisfactory to the Commissioner of having taken and successfully completed the
15 continuing education requirements. Proof of completion of the continuing education courses
16 must be delivered to the Department of Real Estate, Flag Section, at P.O. Box 137013,
17 Sacramento, CA 95813-7013.

18 5. All licenses and licensing rights of Respondent are indefinitely suspended
19 unless or until Respondent pays the sum of \$1,627.90 for the Commissioner's reasonable cost
20 of the investigation and enforcement which led to this disciplinary action. Said payment shall
21 be in the form of a cashier's check made payable to the Department of Real Estate. The
22 investigative and enforcement costs must be delivered to the Department of Real Estate, Flag
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1 Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective date of this
2 Stipulation.

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5 4/5/21

6 DATED

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8 *Richard K. Uno*
9 RICHARD K. UNO, Counsel III
10 DEPARTMENT OF REAL ESTATE

11 * * *

12 I have read the Stipulation and Agreement in Settlement and Order and its terms
13 are understood by me and are agreeable and acceptable to me. I understand that I am waiving
14 rights given to me by the California Administrative Procedure Act (including but not limited
15 to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly,
16 intelligently, and voluntarily waive those rights, including the right of requiring the
17 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the
18 right to cross-examine witnesses against me and to present evidence in defense and mitigation
19 of the charges. I understand that I must sign and return this Stipulation by fax to (916) 263-
20 3767 or by email to Richard.Uno@dre.ca.gov. I further agree to mail the original Stipulation
21 no later than five days after signing it to: Department of Real Estate, Legal Section, P.O. Box
22 137007, Sacramento, California 95813-7007. I understand that failure to mail the original
23 back may result in this matter going to hearing.

24 4/1/2021

25 DATED

26 DocuSigned by:
27 *Alexis McGee*
28 ALEXIS ZACHROS MCGEE

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I have reviewed this Stipulation and Agreement as to form and content and have advised my client accordingly.

4/1/21

DATED

Karen M. Goodman

KAREN GOODMAN

The foregoing Stipulation and Agreement In Settlement and Order is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on MAY 28 2021

IT IS SO ORDERED 5.4.21

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley