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DEPT. OF REAL ESTATE

By [redacted]

Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105
Telephone: (213) 559-5990

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation against CHRISTOPHER KELLY SMITH, Respondent.	DRE No. H-07502 SAC OAH No. 2026051098 STIPULATION AND AGREEMENT IN SETTLEMENT AND ORDER

It is hereby stipulated by and between Respondent CHRISTOPHER KELLY SMITH, a.k.a. "Kelly Smith" ("Respondent"), acting by and through his attorney, Mary E. Work of Mary E. Work, A Professional Corporation, and the Complainant, acting by and through Kathy Yi, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on April 14, 2026 ("Accusation"), in this matter:

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

2. Respondent has received, read and understand the Statement to Respondent, the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate

("Department") in this proceeding.

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

4. This Stipulation is based on the factual allegations contained in the Accusation filed in this proceeding. Respondent, pursuant to the limitations set forth below, hereby admits that the factual allegations in the Accusation filed in this proceeding are true and correct and the Commissioner shall not be required to provide further evidence to prove such allegations.

5. This Stipulation is made for the purpose of reaching an agreed disposition of this proceeding and is expressly limited to this proceeding and not any other proceeding or case in which the Department, or another licensing agency of this state, another state, or the federal government is involved, and otherwise shall not be admissible in any criminal or civil proceeding.

6. It is understood by the parties that the Real Estate Commissioner may adopt this Stipulation as her Decision in this matter thereby imposing the penalty and sanctions on Respondent' real estate licenses and license rights as set forth in the below "Order." In the event that the Commissioner in her discretion does not adopt the Stipulation, the Stipulation shall be void and of no effect and Respondent shall retain the right to a hearing and proceed on the Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver made herein.

7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further

administrative or civil proceedings by the Department with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

DETERMINATION OF ISSUES

By reason of the foregoing, and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following Determination of Issues shall be made:

The conduct, acts or omissions of Respondent CHRISTOPHER KELLY SMITH, as set forth in the Accusation, are in violation of California Business and Professions Code ("Code") sections 10130, 10145(a), 10159.5, and 10176(g) and Sections 2731 and 2832 of Title 10, Chapter 6 of the California Code of Regulations ("Regulations") and are a basis for discipline of Respondent CHRISTOPHER KELLY SMITH's licenses and/or licensing rights pursuant to Code sections 10177(d), 10177(g), and/or 10177(h).

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I. STAYED SUSPENSION OF REAL ESTATE LICENSE

All licenses and licensing rights of Respondent CHRISTOPHER KELLY SMITH under the Real Estate Law are suspended for a period of **thirty (30) days** from the effective date of this Decision; provided, however, that:

A. The initial fifteen (15) days of the thirty-day suspension shall be **stayed** upon the following terms and conditions:

1. Respondent shall pay a monetary penalty, pursuant to Code section 10175.2, at the rate of $100.00 per day for each of the fifteen (15) days of suspension for a total monetary penalty of **$1,500.00.**

2. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. Said check must be delivered to the Department of Real Estate, 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective date of this Decision and Order.**

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

4. If Respondent pays the monetary penalty and if no further cause for disciplinary action occurs within two (2) years from the effective date of the Decision, the entire stay hereby granted pursuant to this Decision and Order shall become permanent.

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

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

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

II. AUDIT COSTS

Pursuant to Code section 10148, Respondent CHRISTOPHER KELLY SMITH shall pay the Commissioner's reasonable costs for the audit which led to this disciplinary action in the amount of **$9,294.00**. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner. Payment of the audit costs should not be made until Respondent receives the invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

III. SUBSEQUENT AUDIT COSTS

Pursuant to Code section 10148, Respondent CHRISTOPHER KELLY SMITH shall pay the Commissioner's reasonable costs, not to exceed **$11,617.50** for a subsequent audit to determine if Respondent has corrected the violations found in the Determination of Issues. In calculating the amount of the Commissioner's reasonable costs, the Commissioner may use the estimated average hourly salary for all persons performing audits of real estate brokers, and shall include an allocation for travel time to and from the auditor's place of work. Respondent shall pay such costs within sixty (60) days of receiving an invoice therefor from the Commissioner. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision providing otherwise is adopted following a hearing held pursuant to this condition.

IV. INVESTIGATION AND ENFORCEMENT COSTS

Respondent CHRISTOPHER KELLY SMITH shall pay the sum of **$1,848.55**, which is the Commissioner's reasonable cost of the investigation ($739.75) and enforcement ($1,108.80) that led to this disciplinary action. Said payment shall be in the form of a cashier's check made payable to the Department of Real Estate. The investigative and enforcement costs must be delivered to the Department of Real Estate, Flag Section at 651 Bannon Street, Suite 504, Sacramento, CA 95811, **prior to the effective date of this Decision and Order.** Payment of investigation and enforcement costs should not be made until the Stipulation has been approved by the Commissioner. If Respondent fails to satisfy this condition in a timely manner as provided for herein, Respondent's real estate licenses shall automatically be suspended until payment is made in full, or until a decision proving otherwise is adopted following a hearing pursuant to this condition.

DATED: 09/03/2026

[redacted]

Kathy Yi
Counsel for Department of Real Estate

EXECUTION OF THE STIPULATION

Respondent has read the Stipulation, has discussed it with hiscounsel, and its terms are understood by Respondent and are agreeable and acceptable to Respondent. Respondent understands that Respondent is waiving rights given to them by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and Respondent willingly, intelligently and voluntarily waives those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which Respondent would have the right to cross-examine witnesses against them and to present evidence in defense and mitigation of the charges.

Respondent agrees, acknowledges, and understands that Respondent cannot rescind or amend this Stipulation and Agreement. By signing this Stipulation, Respondent understands and agrees that Respondent may not withdraw Respondent' agreement or seek to rescind the Stipulation prior to the time the Commissioner considers and acts upon it or prior to the effective date of the Stipulation and Order.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by electronically e-mailing a copy of the signature page, as actually signed by Respondent, to the Department. Respondent agrees, acknowledges, and understands that by electronically sending to the Department an electronic copy of Respondent's actual signature, as it appears on the Stipulation, that receipt of the emailed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation. Alternatively, Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to: Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite 350, Los

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Angeles, California 90013-1105.

Dated: 9/3/26

[redacted]
CHRISTOPHER KELLY SMITH
Respondent

* * *

Dated: 9/3/2026

[redacted]
Mary E. Work
Counsel for Respondent
Approved as to Form

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent CHRISTOPHER KELLY SMITH and shall become effective at 12 o'clock noon on 10/22/26.

IT IS SO ORDERED September 23, 2026.

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER

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