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FILED

MAR 08 2019

DEPARTMENT OF REAL ESTATE

By X. Kropp

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of:

) DRE No. H-12256 SF
)
)
)

TIMOTHY KALAMA POWERS,

Respondent.

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On July 12, 2018, an Accusation was filed in this matter against Respondent
TIMOTHY KALAMA POWERS ("Respondent").

On December 28, 2018, Respondent petitioned the Commissioner to voluntarily
surrender his real estate broker license pursuant to Section 10100.2 of the Business and Professions
Code.

IT IS HEREBY ORDERED that Respondent TIMOTHY KALAMA POWERS's
petition for voluntary surrender of his real estate broker license is accepted as of the effective date
of this Order as set forth below, based upon the understanding and agreement expressed in
Respondent's Declaration dated December 28, 2018, (attached as Exhibit "A" hereto).

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1 Respondent's license certificate and pocket card shall be sent to the below-listed
2 address so that they reach the Department of Real Estate on or before the effective date of this
3 Order:

4 DEPARTMENT OF REAL ESTATE
5 Attention: Licensing Flag Section
6 P. O. Box 137013
7 Sacramento, CA 95813-7013

MAR 29 2019

8 This Order shall become effective at 12 o'clock noon on _____.

9 DATED: March 7, 2019

10 DANIEL J. SANDRI
11 ACTING REAL ESTATE COMMISSIONER

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA
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11 In the Matter of the Accusation of) DRE No. H-12256 SF
12 TIMOTHY KALAMA POWERS,)
13)
14 Respondent.)

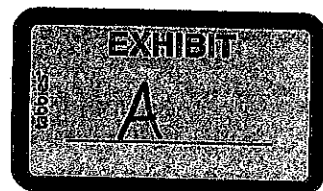
15 DECLARATION

16 My name is TIMOTHY KALAMA POWERS, and I am currently licensed as a real
17 estate broker and/or have license rights with respect to said license. I am representing myself in
18 this matter.

19 In lieu of proceeding in this matter in accordance with the provisions of the
20 Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to
21 voluntarily surrender my real estate license(s) issued by the Department of Real Estate
22 ("Department"), pursuant to Business and Professions Code Section 10100.2.

23 I understand that by so voluntarily surrendering my license(s), I may be relicensed as a broker or a
24 salesperson, or issued a new mortgage loan originator endorsement, only by petitioning for
25 reinstatement pursuant to Section 11522 of the Government Code. I also understand that by so
26 voluntarily surrendering my license(s), I agree to the following:

- 27 1. The filing of this Declaration shall be deemed as my petition for voluntary



1 surrender.

2 2. It shall also be deemed to be an understanding and agreement by me that I
3 waive all rights I have to require the Commissioner to prove the allegations contained in the
4 Accusation filed in this matter at a hearing held in accordance with the provisions of the
5 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also waive
6 other rights afforded to me in connection with the hearing such as the right to discovery, the right to
7 present evidence in defense of the allegations in the Accusation and the right to cross-examine
8 witnesses.

9 3. I further agree that upon acceptance by the Commissioner, as evidenced by
10 an appropriate order, all affidavits and all relevant evidence obtained by the Department in this
11 matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation filed
12 in the Department Case No. H-12256 SF, may be considered by the Department to be true and
13 correct for the purpose of deciding whether to grant relicensure or reinstatement pursuant to
14 Government Code Section 11522.

15 4. I understand and agree that prior to and as a condition of any petition for
16 reinstatement made pursuant to Government Code section 11522 being granted, I agree to be
17 responsible for paying the Commissioner's reasonable cost of the investigation and enforcement
18 which led to this action. The amount of said costs are \$867.18.

19 4. I freely and voluntarily surrender all my licenses and license rights under the
20 Real Estate Law.

21 I declare under penalty of perjury under the laws of the State of California that the
22 above is true and correct and that this declaration was executed December 28, 2018, at
23 Sacramento, California.

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TIMOTHY KALAMA POWERS