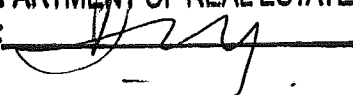


1 Department of Real Estate  
2 320 West 4th Street, Ste. 350  
3 Los Angeles, California 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

OCT 17 2012

DEPARTMENT OF REAL ESTATE

BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 KEY ASSET SOLUTIONS INC. doing )  
14 business as Key Asset Solutions REO, )  
15 Key Asset Realty & REO, Key Asset )  
16 Realty, and Key Asset REO; and )  
17 WILLIAM RYAN LENOCKER, individually )  
and as designated officer of )  
Key Asset Solutions Inc. )  
Respondents. )

No. H-37114 LA  
L-2011060591

STIPULATION  
AND  
AGREEMENT

18 It is hereby stipulated by and between Respondents KEY ASSET SOLUTIONS  
19 INC. and WILLIAM RYAN LENOCKER, individually and as designated officer of Interstate  
20 Mortgage Alliance Corporation (sometimes collectively referred to as "Respondents"),  
21 represented by Joshua Rosenthal, Esq. and the Complainant, acting by and through Elliott Mac  
22 Lennan, Counsel for the Department of Real Estate, as follows for the purpose of settling and  
23 disposing of the Accusation ("Accusation") filed on March 8, 2011, in this matter:

24 1. All issues which were to be contested and all evidence which was to be  
25 presented by Complainant and Respondents at a formal hearing on the Accusation, which hearing  
26 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),  
27

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

3           2. Respondents have received, read and understand the Statement to Respondent,  
4 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate  
5 in this proceeding.

6           3. Respondents timely filed a Notice of Defense pursuant to Section 11506 of the  
7 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.  
8 Respondents hereby freely and voluntarily withdraw said Notice of Defense. Respondents  
9 acknowledge that they understand that by withdrawing said Notice of Defense they thereby waive  
10 their right to require the Commissioner to prove the allegations in the Accusation at a contested  
11 hearing held in accordance with the provisions of the APA and that they will waive other rights  
12 afforded to them in connection with the hearing such as the right to present evidence in their  
13 defense and the right to cross-examine witnesses.

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

20           5. This Stipulation is made for the purpose of reaching an agreed disposition of  
21 this proceeding and is expressly limited to this proceeding and any other proceeding or case in  
22 which the Department of Real Estate ("Department"), the state or federal government, or any  
23 agency of this state, another state or federal government is involved.

24           6. It is understood by the parties that the Real Estate Commissioner may adopt  
25 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on  
26 Respondents' real estate licenses and license rights as set forth in the "Order" herein below. In  
27 the event that the Commissioner in her discretion does not adopt the Stipulation, it shall be void

1 and of no effect and Respondents shall retain the right to a hearing and proceeding on the  
2 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver  
3 made herein.

4 7. The Order or any subsequent Order of the Real Estate Commissioner made  
5 pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further  
6 administrative or civil proceedings by the Department of Real Estate with respect to any matters  
7 which were not specifically alleged to be causes for Accusation in this proceeding but do  
8 constitute a bar, estoppel and merger as to any allegations actually contained in the Accusations  
9 against Respondent herein.

10 8. Respondents understand that by agreeing to this Stipulation, Respondents agree  
11 to pay, pursuant to Business and Professions Code Section 10148, the cost of the audit. The  
12 amount of said cost for the original audit (LA090061) is \$3,646.80.

13 9. Respondents have received, read, and understand the "Notice Concerning  
14 Costs of Subsequent Audit". Respondents further understand that by agreeing to this Stipulation,  
15 the findings set forth below in the Determination of Issues become final, and the Commissioner  
16 may charge Respondents for the cost of any subsequent audit conducted pursuant to Business and  
17 Professions Code Section 10148 to determine if the violations have been corrected. The  
18 maximum cost of the follow-up audit will not exceed \$3,646.80.

19 DETERMINATION OF ISSUES

20 By reason of the foregoing, it is stipulated and agreed that the following  
21 determination of issues shall be made:

22 I.

23 The conduct, acts or omissions of KEY ASSET SOLUTIONS INC. and  
24 WILLIAM RYAN LENOCKER, as described in Paragraph 4, herein above, are in violation of  
25 Sections 10137 and 10145 of the Business and Professions Code ("Code") and is a basis for  
26 discipline of Respondents' licenses and license rights as violation of the Real Estate Law  
27 pursuant to Code Sections 10137 and 10177(d).



1                   4. If Respondents fail to pay the monetary penalty in accordance with the terms of  
2 the Decision, the Commissioner may, without a hearing, order the immediate execution of all or  
3 any part of the stayed suspension, in which event the Respondent shall not be entitled to any  
4 repayment nor credit, prorated or otherwise, for money paid to the Department under the terms of  
5 this Decision.

6                   5. If Respondents pay the monetary penalty and if no further cause for  
7 disciplinary action against the real estate license of Respondent occurs within two (2) years from  
8 the effective date of the Decision, the stay hereby granted shall become permanent.

9                   B. The remaining sixty (60) days of the ninety (90) day suspension shall be stayed  
10 for two (2) years upon the following terms and conditions:

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

13                   2. That no final subsequent determination be made after hearing or upon  
14 stipulation, that cause for disciplinary action occurred within two (2) years from the effective  
15 date of this Decision. Should such a determination be made, the Commissioner may, in his  
16 discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed  
17 suspension. Should no such determination be made, the stay imposed herein shall become  
18 permanent.  
19  
20  
21

22                   II.

23                   Pursuant to Section 10148 of the Business and Professions Code, Respondents  
24 KEY ASSET SOLUTIONS INC. and WILLIAM RYAN LENOCKER, shall pay the  
25 Commissioner's reasonable cost for (a) the audit which led to this disciplinary action and (b) a  
26 subsequent audit to determine if Respondents are now in compliance with the Real Estate Law.  
27

1 The cost of the audit which led to this disciplinary action is \$3,646.80. In calculating the amount  
2 of the Commissioner's reasonable cost, the Commissioner may use the estimated average hourly  
3 salary for all persons performing audits of real estate brokers, and shall include an allocation for  
4 travel time to and from the auditor's place of work. Said amount for the prior and subsequent  
5 audits shall not exceed \$7,293.60. Respondents shall pay such cost within 60 days of receiving  
6 an invoice from the Commissioner detailing the activities performed during the audit and the  
7 amount of time spent performing those activities.

8 The Commissioner may suspend the license of Respondent pending a hearing held  
9 in accordance with Section 11500, et seq., of the Government Code, if payment is not timely  
10 made as provided for herein, or as provided for in a subsequent agreement between the  
11 Respondents and the Commissioner. The suspension shall remain in effect until payment is  
12 made in full or until Respondent enters into an agreement satisfactory to the Commissioner to  
13 provide for payment, or until a decision providing otherwise is adopted following a hearing held  
14 pursuant to this condition.

15 III.

16 All licenses and licensing rights of Respondent WILLIAM RYAN LENOCKER,  
17 are indefinitely suspended unless or until Respondent provides proof satisfactory to the  
18 Commissioner, of having taken and successfully completed the continuing education course on  
19 trust fund accounting and handling specified in paragraph (3) of subdivision (a) of Section  
20 10170.5 of the Business and Professions Code. Proof of satisfaction of this requirement includes  
21 evidence that respondent has successfully completed the trust fund account and handling  
22 continuing education course within 120 days prior to the effective date of the Decision in this  
23 matter.  
24

25 IV.

26 Respondent WILLIAM RYAN LENOCKER, shall within six (6) months from the  
27

1 effective date of the Decision herein, take and pass the Professional Responsibility Examination  
2 administered by the Department including the payment of the appropriate examination fee. If  
3 Respondent fails to satisfy this condition, the Commissioner may order suspension of  
4 Respondent's license until Respondent passes the examination. The Commissioner shall afford  
5 Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present  
6 such evidence.

7  
8 V.

9 Respondent WILLIAM RYAN LENOCKER, shall, within nine (9) months from  
10 the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner  
11 that Respondent has, since the most recent issuance of an original or renewal real estate license,  
12 taken and successfully completed the continuing education requirements of Article 2.5 of  
13 Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to  
14 satisfy this condition, the Commissioner may order the suspension of Respondent's license until  
15 Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity  
16 for a hearing pursuant to the Administrative Procedure Act to present such evidence.

17  
18  
19 DATED: 7-12-12

EL  
20 ELLIOTT MAC LENNAN, Counsel for  
21 Department of Real Estate

22 \* \* \*

23 EXECUTION OF THE STIPULATION

24 We have read the Stipulation and Agreement and discussed it with our attorney.  
25 Its terms are understood by us and are agreeable and acceptable to us. We understand that we  
26 are waiving rights given to us by the California Administrative Procedure Act (including but not  
27 limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we willingly,

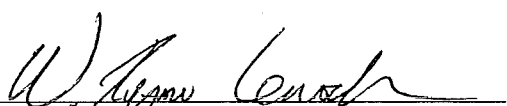
1 intelligently and voluntarily waive those rights, including the right of requiring the  
2 Commissioner to prove the allegations in the Accusation at a hearing at which we would have the  
3 right to cross-examine witnesses against us and to present evidence in defense and mitigation of  
4 the charges.

5 MAILING AND FACSIMILE


6 Respondents (1) shall mail the original signed signature page of the stipulation  
7 herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate, 320 W.  
8 Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondents shall also (2) facsimile  
9 a copy of signed signature page, to the Department at the following telephone/fax number: (213)  
10 576-6917, Attention: Elliott Mac Lennan.

11 A facsimile constitutes acceptance and approval of the terms and conditions of  
12 this stipulation. Respondents agree, acknowledge and understand that by electronically sending  
13 to the Department a facsimile copy of Respondents' actual signature as it appears on the  
14 stipulation that receipt of the facsimile copy by the Department shall be as binding on  
15 Respondents as if the Department had received the original signed stipulation.

16  
17  
18  
19 DATED: 7-10-12


  
KEY ASSET SOLUTIONS INC., Respondent  
By: WILLIAM RYAN LENOCKER, D.O.

20  
21  
22  
23 DATED: 7-10-12

  
WILLIAM RYAN LENOCKER, Respondent,  
Individually and as designated officer



1 DATED: 7-18-12


  
2 JOSHUA ROSENTHAL, ESQ.  
3 Attorney for Respondents

4 \*\*\*

5 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to  
6 Respondents KEY ASSET SOLUTIONS INC. and WILLIAM RYAN LENOCKER, and shall  
7 become effective at 12 o'clock noon on November 16, 2012.

9 IT IS SO ORDERED 9/11, 2012.

10  
11 Real Estate Commissioner

12  
13   
14 By WAYNE S. BELL  
15 Chief Counsel