

5A0.

FILED  
OCT 25 2011  
DEPARTMENT OF REAL ESTATE

By C

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of

No. H-37619 LA

C & M FINANCIAL, INC. and  
CAROL ANNE KIRTLAND, individually  
and as designated officer of  
C & M Financial, Inc.,

Respondents.

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSES

On September 26, 2011, Respondents, in connection with an investigation of possible violations of the Real Estate Law (Sections 10000 et seq., of the Business and Professions Code) and Regulations of the Commissioner (Title 10, Chapter 6, Code of Regulations), petitioned the Commissioner to voluntarily surrender the corporate real estate broker license of C & M FINANCIAL, INC. and the real estate broker license of CAROL ANNE KIRTLAND pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondents C & M FINANCIAL, INC. and CAROL ANNE KIRTLAND's petition for voluntary surrender

1 of their licenses is accepted as of the effective date of this  
2 Order as set forth below, based upon the understanding and  
3 agreement expressed in Respondents' Declaration dated  
4 September 26, 2011 (attached as Exhibit "A" hereto).  
5 Respondents' licenses certificates, pocket cards and any branch  
6 office license certificates shall be sent to the below listed  
7 address so that they reach the Department on or before the  
8 effective date of  
9 this Order:

10 Department of Real Estate  
11 Atten: Licensing Flag Section  
12 P.O. Box 187000  
Sacramento, CA 95818-7000

13 This Order shall become effective at 12 o'clock noon  
14 on November 14, 2011.

15 DATED: 10/13/11  
16

17 BARBARA J. BIGBY  
18 Acting Real Estate Commissioner

19   
20  
21  
22  
23  
24  
25  
26  
27

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of ) Case No. 7-10-0608-008  
)  
C & M FINANCIAL, INC. and )  
CAROL ANNE KIRTLAND, )  
individually and as designated )  
officer of C & M Financial, )  
Inc. )

DECLARATION

My name is CAROL ANNE KIRTLAND. I am a licensed real estate broker (License No. 01007252). I am also the designated officer of C & M FINANCIAL, INC., a licensed real estate corporate broker (License No. 01204282). I am authorized and empowered to sign this declaration on behalf of C & M FINANCIAL, INC. I am acting on behalf of the corporation and am also representing myself in this matter.

I have been informed by the Department of Real Estate ("Department") that we are the subject of an investigation of possible violations of the Real Estate Law (Sections 10000 et

1 seq., of the Business and Professions Code) and Regulations of  
2 the Real Estate Commissioner, Title 10, Chapter 6, of the  
3 California Code of Regulations, which could result in the filing  
4 of an Accusation to revoke or suspend my real estate broker  
5 license and C & M FINANCIAL, INC.'s real estate corporate broker  
6 license. Pursuant to Business and Professions Code Section  
7 10100.2, I wish to voluntarily surrender my real estate broker  
8 license and C & M FINANCIAL, INC.'s real estate corporate broker  
9 license issued by the Department.

10 I understand that by so voluntarily surrendering these  
11 licenses, that C & M FINANCIAL, INC. and I may be relicensed as a  
12 corporation, broker or as a salesperson only by petitioning for  
13 reinstatement pursuant to Section 11522 of the Government Code.

14 I agree also that the filing of this Declaration shall  
15 be deemed to be our petition to voluntarily surrender these real  
16 estate licenses and shall also be deemed to be an understanding  
17 and agreement by us that upon acceptance by the Commissioner, as  
18 evidenced by an appropriate order, all affidavits and all other  
19 relevant statements, declarations and evidence obtained during  
20 the course of the investigation prior to the Commissioner's  
21 acceptance may be considered by the Department to be true and  
22 correct for the purpose of deciding whether or not to grant  
23 reinstatement of our licenses pursuant to the provisions of  
24 Government Code Section 11522. This understanding and agreement  
25 is made without admitting or denying the truth or contents of the  
26 aforementioned documents.  
27

1 I declare under penalty of perjury under the laws of  
2 the State of California that the above is true and correct and  
3 that I freely and voluntarily surrender my broker license and  
4 C & M FINANCIAL, INC.'s corporate broker license and all license  
5 rights attached thereto.

6 9/26/11 INDIO CA

7 Date and Place

Carol Anne Kirtland

CAROL ANNE KIRTLAND