

1 Bureau of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013

FILED

JUL 15 2014

BUREAU OF REAL ESTATE

By 

7 BEFORE THE BUREAU OF REAL ESTATE
8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of)	CalBRE Case No. H-39176 LA
)	OAH Case No. 2013120722
11 PROPERTY MASTERS REALTY, a corporate)	
12 real estate broker; ERIK KRISTIAN REPPE,)	<u>STIPULATION AND</u>
13 individually and as designated broker-officer of)	<u>AGREEMENT</u>
14 Property Masters Realty, and)	
15 <u>DAVID STANLEIGH KROHN,</u>)	
)	
Respondents.)	

16 It is hereby stipulated by and between DAVID STANLEIGH KROHN,
17 represented in this matter by Scott J. Harris, attorney at law, and the Complainant, acting by
18 and through Martha J. Rosett, Counsel for the Bureau of Real Estate, as follows for the purpose
19 of settling and disposing of the Accusation filed on November 26, 2013:

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
22 hearing was to be held in accordance with the provisions of the Administrative Procedure Act
23 (“APA”), shall instead and in place thereof be submitted solely on the basis of the provisions of
24 this Stipulation and Agreement.

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

1 3. On or about December 6, 2013, Respondent filed a Notice of Defense
2 pursuant to Section 11506 of the Government Code for the purpose of requesting a hearing on
3 the allegations in the Accusation. In order to effectuate this settlement, Respondent hereby
4 freely and voluntarily withdraws said Notice of Defense. Respondent acknowledges that he
5 understands that by withdrawing said Notice of Defense, he will thereby waive his rights to
6 require the Commissioner to prove the allegations in the Accusation at a contested hearing held
7 in accordance with the provisions of the APA and that he will waive other rights afforded to
8 him in connection with the hearing such as the right to present evidence in defense of the
9 allegations in the Accusation and the right to cross-examine witnesses.

10 4. Respondent, pursuant to the limitations set forth below, although not
11 admitting or denying the truth of the allegations, will not contest the factual allegations
12 contained in the Accusation filed in this proceeding and the Real Estate Commissioner shall
13 not be required to provide further evidence of such allegations.

14 5. It is understood by the parties that the Real Estate Commissioner may adopt
15 the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and
16 sanctions on Respondent's real estate license and license rights as set forth in the below
17 "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation
18 and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a
19 hearing and proceeding on the Accusation under all the provisions of the APA and shall not be
20 bound by any stipulation or waiver made herein.

21 6. The Order or any subsequent Order of the Real Estate Commissioner made
22 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to
23 any further administrative proceedings by the Bureau with respect to any matters which were
24 not specifically alleged to be causes for accusation in this proceeding.

25 7. This Stipulation and Respondent's decision not to contest the Accusation are
26 made for the purpose of reaching an agreed disposition of this proceeding, and are expressly
27 limited to this proceeding and any other proceeding or case in which the Bureau, or another

1 licensing agency of this state, another state, or of the federal government is involved, and
2 otherwise shall not be admissible in any other criminal or civil proceedings.

3 DETERMINATION OF ISSUES

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

7 The conduct, acts or omissions of Respondent DAVID STANLEIGH KROHN,
8 as set forth in the Accusation, constitute cause to suspend or revoke his real estate license and
9 licensing rights pursuant to Business and Professions Code Sections 10177(g).

10 ORDER

11 WHEREFORE, THE FOLLOWING ORDER is hereby made:

12 All licenses and licensing rights of Respondent DAVID STANLEIGH KROHN
13 are publicly reprovod, subject to the following terms and conditions:

14 (a) Respondent DAVID STANLEIGH KROHN shall, within six months from the
15 effective date of this Decision, take and pass the Professional Responsibility Examination
16 administered by the Bureau, including the payment the appropriate examination fee. If
17 Respondent fails to satisfy this condition, the Commissioner may order suspension of
18 Respondent's license until Respondent passes the examination.

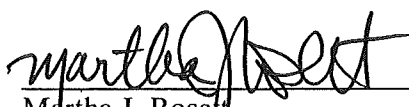
19 (b) Respondent DAVID STANLEIGH KROHN shall be jointly and severally
20 liable with PROPERTY MASTERS REALTY for payment of the Bureau's reasonable cost of
21 investigation and enforcement of this matter in the amount of prior to the effective date of this
22 Decision. Said costs are \$4,774.00. Payment shall be in the form of a cashier's check made
23 payable to the Real Estate Fund delivered to the Bureau. If Respondent fails to satisfy this
24 condition, the Commissioner may order suspension of Respondent's license until Respondent
25 pays said costs.

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DATED: 5/19/14

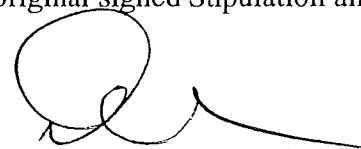

Martha J. Rose
Counsel for Complainant

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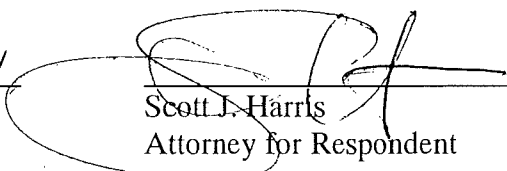
Respondent, through its representative, has read the Stipulation and Agreement, has discussed it with counsel, and its terms are understood and are agreeable and acceptable. Respondent understands that it is waiving rights under the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and willingly 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 Complainant's witnesses and to present evidence in defense and mitigation of the charges.

Respondent may signify acceptance and approval of the terms and conditions of this Stipulation and Agreement by faxing a copy of the signature page, as actually signed, to the Bureau at the following fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy of the actual signature as it appears on the Stipulation that receipt of the faxed copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation and Agreement.

DATED: 5/19/14


David Stanleigh Krohn

DATED: May 19, 2014


Scott J. Harris
Attorney for Respondent

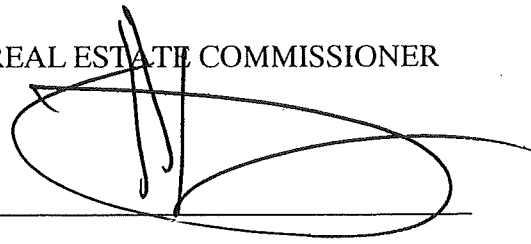
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The foregoing Stipulation and Agreement is hereby adopted as my Decision in
this matter and shall become effective at 12 o'clock noon on AUG 05 2014.

IT IS SO ORDERED ~~JUN 20 2014~~

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner