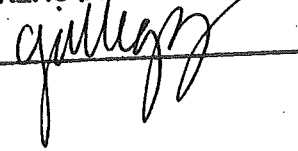


**FILED**

FEB 12 2015

**BUREAU OF REAL ESTATE**

By



1 Bureau of Real Estate  
320 West 4th Street, Suite 350  
2 Los Angeles, California 90013  
3 Telephone: (213) 576-6982  
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8 **BEFORE THE BUREAU OF REAL ESTATE**  
9 **STATE OF CALIFORNIA**

10 \* \* \*

11 In the Matter of the Accusation of )  
12 ANTHONY KEITH FAIRCHILD, ) No. H-39578 LA  
13 ) STIPULATION AND  
14 Respondent. ) AGREEMENT  
15 )

16 It is hereby stipulated by and between ANTHONY KEITH FAIRCHILD  
17 (“Respondent”) (license no. 01225735) and his attorney of record, Mary E. Work, Esq., and the  
18 Complainant, acting by and through Diane Lee, Esq., Counsel for the Bureau of Real Estate, as  
19 follows for the purpose of settling and disposing of the Accusation filed on August 18, 2014 in  
20 this matter:

21 1. All issues which were to be contested and all evidence which was to be  
22 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing  
23 was to be held in accordance with the provisions of the Administrative Procedure Act (“APA”),  
24 shall instead and in place thereof be submitted solely on the basis of the provisions of this  
25 Stipulation and Agreement.

1                   2. Respondent has received and read and understands the Statement to  
2 Respondent, the Discovery Provisions of the APA, and the Accusation filed by the Bureau of  
3 Real Estate in this proceeding.

4                   3. On or about August 25, 2014, Respondent filed a Notice of Defense pursuant  
5 to California Government Code section 11506 for the purpose of requesting a hearing on the  
6 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice  
7 of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of  
8 Defense, he will thereby waive his right to require the Commissioner to prove the allegations in  
9 the Accusation at a contested hearing held in accordance with the provisions of the APA and that  
10 he will waive other rights afforded to him in connection with the hearing, such as the right to  
11 present evidence in defense of the allegations in the Accusation and the right to cross-examine  
12 witnesses.

13                  4. Respondent, pursuant to the limitations set forth below, hereby admits that the  
14 factual allegations of the Accusation filed in this proceeding are true and correct and the Real  
15 Estate Commissioner shall not be required to provide further evidence of such allegations. The  
16 factual allegations are as follows: On or about June 3, 2013, in Superior Court of California,  
17 County of Los Angeles, case no. 3JB00088, Respondent was convicted of violating California  
18 Penal Code section 166(c)(1) (willful and knowing violation of protective order), a misdemeanor.

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

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

5  
6   DETERMINATION OF ISSUES

7                   By reason of the foregoing stipulations, admissions, and waivers and solely for the  
8 purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed  
9 that the following determination of issues shall be made:

10                   The conduct of Respondent, as set forth in the Accusation, is grounds for the  
11 suspension or revocation of all of the real estate licenses and license rights of Respondent under  
12 the provision of California Business and Professions Code sections 490 and 10177(b).

13  
14   ORDER

15                   WHEREFORE, THE FOLLOWING ORDER is hereby made:

16                   All licenses and licensing rights of Respondent ANTHONY KEITH  
17 FAIRCHILD, under the Real Estate Law are revoked; provided, however, a restricted real estate  
18 salesperson license shall be issued to Respondent pursuant to California Business and  
19 Professions Code section 10156.5 if Respondent makes application therefor and pays to the  
20 Bureau of Real Estate the appropriate fee for the restricted license within 90 days from the  
21 effective date of this Decision. The restricted license issued to Respondent shall be subject to  
22 all of the provisions of California Business and Professions Code section 10156.7 and to the  
23 following limitations, conditions, and restrictions imposed under authority of the California  
24 Business and Professions Code:

1                    1. The restricted license issued to Respondent may be suspended prior to hearing  
2 by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of  
3 nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a  
4 real estate licensee.

5                    2. The restricted license issued to Respondent may be suspended prior to hearing  
6 by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that  
7 Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands  
8 Law, Regulations of the Real Estate Commissioner, or conditions attaching to this restricted  
9 license.

10                   3. Respondent shall not be eligible to apply for the issuance of an unrestricted  
11 real estate license nor for the removal of any of the conditions, limitations, or restrictions of a  
12 restricted license until one (1) year has elapsed from the date of issuance of the restricted license  
13 to Respondent. Respondent's application for an unrestricted real estate license will be reviewed  
14 based upon the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real  
15 Estate Commissioner, and/or conditions attaching to this restricted license.

16                   4. Respondent shall submit with any application for license under an employing  
17 broker, or any application for transfer to a new employing broker, a statement signed by the  
18 prospective employing real estate broker on a form approved by the Bureau of Real Estate  
19 which shall certify: (a) That the employing broker has read the Decision of the Commissioner  
20 which granted the right to a restricted license; and (b) That the employing broker will exercise  
21 close supervision over the performance by the restricted licensee relating to activities for which  
22 a real estate license is required.

23                   5. Respondent shall, within nine (9) months from the effective date of this  
24 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,  
25 since the most recent issuance of an original or renewal real estate license, taken and successfully  
26


1 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate  
2 Law for renewal of a real estate license. Such proof shall be sent to the Bureau of Real Estate at:  
3 Bureau of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013. If  
4 Respondent fails to satisfy this condition, the Commissioner shall order the suspension of the  
5 restricted license until the Respondent presents such evidence. If requested, the Commissioner  
6 shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure  
7 Act to present such evidence.

8 6. While Respondent has a restricted real estate license, Respondent shall notify  
9 the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the  
10 Commissioner at: Bureau of Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA  
11 95813-7013. The letter shall set forth the date of Respondent's arrest, the crime for which  
12 Respondent was arrested, and the name and address of the arresting law enforcement agency.  
13 Respondent's failure to timely file written notice shall constitute an independent violation of the  
14 terms of the restricted license and shall be grounds for the suspension or revocation of that  
15 license.

16 7. Pursuant to California Business and Professions Code section 10106,  
17 Respondent shall pay the Commissioner's reasonable cost for investigation and enforcement of  
18 the matter. The investigation and enforcement cost which led to this disciplinary action is  
19 \$1,162.80. Said payment shall be made by the effective date of this Decision. Said payment  
20 shall be in the form of a cashier's check or certified check made payable to the Bureau of Real  
21 Estate, and sent to the Bureau of Real Estate at: Bureau of Real Estate, Flag Section, P.O. Box  
22 137013, Sacramento, CA 95813-7013. The Commissioner shall suspend the license and license  
23 rights of Respondent pending a hearing held in accordance with California Government Code  
24 Section 11500, et seq., if payment is not timely made as provided for herein, or as provided for  
25 in a subsequent agreement between the Respondent and the Commissioner. The suspension  
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1 shall remain in effect until payment is made in full or until Respondent enters into an agreement  
2 satisfactory to the Commissioner to provide for payment, or until a decision providing otherwise  
3 is adopted following a hearing held pursuant to this condition.

4  
5 DATED: 01/29/2015

  
\_\_\_\_\_  
DIANE LEE  
Counsel for Complainant

7 \* \* \*

8 I have read the Stipulation and Agreement, have discussed it with my counsel, and  
9 its terms are understood by me and are agreeable and acceptable to me. I understand that I am  
10 waiving rights given to me by the California Administrative Procedure Act (including but not  
11 limited to California Government Code sections 11506, 11508, 11509, and 11513), and I  
12 willingly, intelligently, and voluntarily waive those rights, including the right of requiring the  
13 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
14 right to cross-examine witnesses against me and to present evidence in defense and mitigation of  
15 the charges.

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

23  
24 DATED: \_\_\_\_\_

\_\_\_\_\_  
ANTHONY KEITH FAIRCHILD  
Respondent

01/09/2015 PRI 10:00 FAX --- MARY WOKK

0006/007

1 shall remain in effect until payment is made in full or until Respondent enters into an agreement  
2 satisfactory to the Commissioner to provide for payment, or until a decision providing otherwise  
3 is adopted following a hearing held pursuant to this condition.

4  
5 DATED: \_\_\_\_\_

DIANE LEE  
Counsel for Complainant

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7 \* \* \*

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12 willingly, intelligently, and voluntarily waive those rights, including the right of requiring the  
13 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the  
14 right to cross-examine witnesses against me and to present evidence in defense and mitigation of  
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18 Respondent, to the Bureau of Real Estate at fax number (213) 576-6917. Respondent agrees,  
19 acknowledges, and understands that by electronically sending to the Bureau of Real Estate a fax  
20 copy of his actual signature as it appears on the Stipulation and Agreement, that receipt of the  
21 faxed copy by the Bureau of Real Estate shall be as binding on Respondent as if the Bureau of  
22 Real Estate had received the original signed Stipulation and Agreement.


23  
24 DATED: 1-12-2015

  
ANTHONY KEITH FAIRCHILD  
Respondent

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I have reviewed the Stipulation and Agreement as to form and content, and have advised my client accordingly.

DATED: 1/12/15

  
\_\_\_\_\_  
MARY E. WORK  
Respondent's Counsel

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

IT IS SO ORDERED \_\_\_\_\_, 2015.

REAL ESTATE COMMISSIONER  
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I have reviewed the Stipulation and Agreement as to form and content, and have advised my client accordingly.

DATED: \_\_\_\_\_  
MARY E. WORK  
Respondent's Counsel

The foregoing Stipulation and Agreement is hereby adopted as my Decision in  
this matter and shall become effective at 12 o'clock noon on MAR - 4 2015.

IT IS SO ORDERED FEBRUARY 5, 2015.

REAL ESTATE COMMISSIONER  


By: JEFFREY MASON  
Chief Deputy Commissioner