

FILED

MAY 29 2019

DEPT. OF REAL ESTATE
By *[Signature]*

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9 **BEFORE THE DEPARTMENT OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Accusation of) No. H-41372 LA
13 JOAN A KINDT) ACCUSATION
14 Respondent.)
15 _____)

16 The Complainant, María Suárez, a Supervising Special Investigator of the State
17 of California, for cause of Accusation against JOAN A KINDT (“Respondent”), is informed
18 and alleges as follows:

19 1.

20 The Complainant, María Suárez, acting in her official capacity as a Supervising
21 Special Investigator of the State of California, makes this Accusation against JOAN A KINDT.

22 2.

23 All references to the “Code” are to the California Business and Professions Code
24 and all references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

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Accusation of Joan A Kindt

1 LICENSE HISTORY

2 3.

3 Respondent JOAN A KINDT ("KINDT") presently has license rights under the
4 Real Estate Law, Part 1 of Division 4 of the Code as a real estate broker.

5 PRIOR LICENSE DISCIPLINE

6 4.

7 On or about April 16, 2013, the Department of Real Estate ("Department") filed
8 a First Amended Accusation against Respondents KINDT and Jamie Lynne Ramsey in
9 Case No. H-38337 LA.

10 5.

11 On or about February 26, 2014, the Real Estate Commissioner, in Case
12 No. H-38337 LA, adopted the Revised Stipulation and Agreement and suspended all the
13 licenses of Respondents KINDT and Jamie Lynne Ramsey for thirty (30) days, with 30 days
14 stayed subject to conditions. Within the Stipulation and Agreement, KINDT stipulated to the
15 acts and omissions in the First Amended Accusation as grounds for disciplinary action.

16 BROKERAGE

17 JOAN A KINDT

18 6.

19 At all times mentioned, in the City of Torrance, County of Los Angeles,
20 Respondent KINDT acted as a real estate broker, conducting licensed activities within the
21 meaning of Code section 10131(b) (leases or rents real property for others).

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1 FIRST CAUSE OF ACTION

2 FAILURE TO RETAIN RECORDS

3 7.

4 Respondent KINDT acted in violation of the Code and the Regulations in that a
5 subpoena was served to KINDT for the production of books and records related to the property
6 management activities conducted by KINDT. KINDT failed to retain and make available for
7 examination, copying, and inspection the books, accounts, and records related to KINDT'S
8 property management activities, in violation of Code section 10148, which constitutes cause
9 under Code sections 10177(d) and/or 10177(g) for the suspension or revocation of all the
10 licenses and license rights of KINDT.

11 8.

12 Code section 10106 provides, in pertinent part, that in any order issued in
13 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
14 may request the administrative law judge to direct a licensee found to have committed a
15 violation of this part to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

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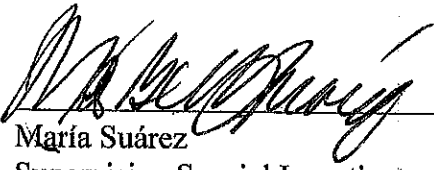
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the real estate licenses and license rights of Respondent JOAN A KINDT under the Real Estate Law, for the cost of audit, investigation, and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 23rd day of May, 2019.



María Suárez
Supervising Special Investigator

cc: JOAN A KINDT
María Suárez
Sacto.