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FILED

AUG 08 2022

DEPT. OF REAL ESTATE

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-42088 LA
	)	
LOREE RENEE NICHOLS,	)	STIPULATION AND AGREEMENT
	)	IN SETTLEMENT AND ORDER
Respondent.	)	
_____	)	

It is hereby stipulated by and between LOREE RENEE NICHOLS ("Respondent") and her attorney of record, Adam J. Richards, and the Complainant, acting by and through Kevin H. Sun, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on August 13, 2021 in this matter:

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

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

STIPULATION AND AGREEMENT

1 3. On or about September 1, 2021, 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. Respondent hereby freely and voluntarily withdraws said
4 Notice of Defense. Respondent acknowledges that she understands that by withdrawing said
5 Notice of Defense she will thereby waive her right to require the Commissioner to prove the
6 allegations in the Accusation at a contested hearing held in accordance with the provisions of
7 the APA and that she will waive other rights afforded to him in connection with the hearing
8 such as the right to present evidence in defense of the allegations in the Accusation and the
9 right to cross-examine witnesses.

10 4. Respondent, pursuant to the limitations set forth below, hereby admits that
11 the factual allegations in the Accusation filed in this proceeding are true and correct and the
12 Real Estate Commissioner shall not be required to provide further evidence of such allegations.

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

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

24 DETERMINATION OF ISSUES

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

The conduct of Respondent, as described in the Accusation, is in violation of California Business and Professions Code (“Code”) and is grounds for the suspension or revocation of all of the real estate license and license rights of Respondent under the provision of Sections 490, 10177(b), and 10186.2 of the Code.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

All licenses and licensing rights of Respondent LOREE RENEE NICHOLS under the Real Estate Law are revoked; provided, however: a restricted real estate broker license shall be issued to Respondent, to be issued pursuant to Code Section 10156.5 if Respondent makes application therefore and pays to the Department the appropriate fee for her restricted real estate broker license within ninety (90) days from the effective date of this Decision and Order. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of the Code:

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

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

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1 3. Respondent shall not be eligible to apply for the issuance of unrestricted real
2 estate licenses nor for removal of any of the conditions, limitations or restrictions of a
3 restricted license until five (5) years have elapsed from the effective date of this Decision and
4 Order.

5 4. Respondent shall notify the Commissioner in writing within 72 hours of any
6 arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post
7 Office Box 137000, Sacramento, CA 95813-7000. The letter shall set forth the date of
8 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
9 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
10 constitute an independent violation of the terms of the restricted license and shall be grounds
11 for the suspension or revocation of that license.

12 5. All licenses and licensing rights of Respondent are indefinitely suspended
13 unless or until Respondent pays the sum of \$2,477.90 for the Commissioner's reasonable cost
14 of the investigation and enforcement which led to this disciplinary action. Said payment shall
15 be in the form of a cashier's check or certified check made payable to the Department of Real
16 Estate. The investigation and enforcement costs must be delivered to the Department of Real
17 Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the effective
18 date of this Decision and Order.

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1 6. Respondent shall, within nine (9) months from the effective date of this
2 Order, present evidence satisfactory to the Commissioner that Respondent has, since the most
3 recent issuance of an original or renewal real estate license, taken and successfully completed
4 the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for
5 renewal of a real estate license. If Respondent fails to satisfy this condition, Respondent's real
6 estate license shall automatically be suspended until Respondent presents evidence satisfactory
7 to the Commissioner of having taken and successfully completed the continuing education
8 requirements. Proof of completion of the continuing education courses must be delivered to the
9 Department of Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013.

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12 DATED: 5/27/2022


Kevin H. Sun
Counsel for Complainant

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16 **EXECUTION OF THE STIPULATION**

17 I have read the Stipulation and Agreement. Its terms are understood by me and
18 are agreeable and acceptable to me. I understand that I am waiving rights given to me by the
19 California Administrative Procedure Act (including but not limited to Sections 11506, 11508,
20 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive
21 those rights, including the right of requiring the Commissioner to prove the allegations in the
22 Accusation at a hearing at which I would have the right to cross-examine witnesses against me
23 and to present evidence in defense and mitigation of the charges.

24 **MAILING AND FACSIMILE**

25 Respondent can signify acceptance and approval of the terms and conditions of
26 this Stipulation and Agreement by sending a hard copy of the original signed signature page of
27 the Stipulation herein to Kevin H. Sun, Legal Section, Department of Real Estate, 320 W.

1 Fourth St., Suite 350, Los Angeles, California 90013-1105. In the event of time constraints
2 before an administrative hearing, Respondent can signify acceptance and approval of the terms
3 and conditions of this Stipulation and Agreement by e-mailing a scanned copy of the signature
4 page, as actually signed by Respondent, to the Department counsel assigned to this case.

5 Respondent agrees, acknowledges, and understands that by electronically
6 sending to the Department a scan of Respondent's actual signatures as they appear on the
7 Stipulation and Agreement, that receipt of the scan by the Department shall be binding on
8 Respondent as if the Department had received the original signed Stipulation and Agreement.

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10 DATED: 5/27/2022


LOREE RENEE NICHOLS
Respondent

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13 DATED: May 27, 2022

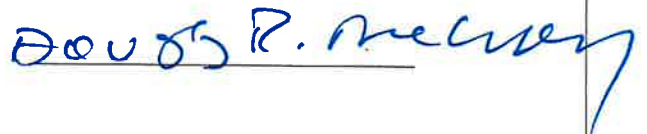

Adam J. Richards, Esq.
Counsel for Respondent
Approved as to Form

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17 The foregoing Stipulation and Agreement is hereby adopted as my Decision as
18 to Respondent LOREE RENEE NICHOLS in this matter and shall become effective at 12
19 o'clock noon on SEP 07 2022, 2022.

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21 IT IS SO ORDERED 8.3.22, 2022.

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23 DOUGLAS R. McCAULEY
24 REAL ESTATE COMMISSIONER

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STIPULATION AND AGREEMENT