

**BEFORE THE  
REGISTRAR OF CONTRACTORS  
CONTRACTORS STATE LICENSE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:  
**CORY LEE BRIZENDINE**  
**DBA WEST POINT CUSTOM HOMES**  
820 D Avenue  
Coronado, CA 92118

**Contractor's License No. 981782**  
**Classification B**

Respondent

CASE NO. N2018-428

OAH NO. 2020080754

**ORDER TO ADOPT  
STIPULATED SETTLEMENT**

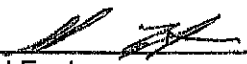
The attached Stipulated Settlement is hereby adopted by the Registrar of Contractors as his Decision in the above-entitled matter. The failure to comply with any of the terms and conditions as set forth in the provisions of probation will be deemed a violation of probation.

IT IS FURTHER ORDERED that **CORY LEE BRIZENDINE DBA WEST POINT CUSTOM HOMES**, License Number **981782**, on the effective date of this Decision shall have on file a Disciplinary Bond or post a cash deposit in the amount of \$45,000.00, for a period of not less than three years pursuant to Section 7071.8 of the Business and Professions Code. Any suspension for failing to post a disciplinary bond or a cash deposit, or any suspension for any other reason, shall not relieve the Respondent from complying with the terms and conditions of probation. Furthermore, suspension of the license during the period of probation, for any reason under this chapter, will cause the probationary period to be automatically extended in time equal to the length of time that the license is not in a clear and active status.

IT IS THE responsibility of the respondents, named in this Order, to read and follow the Order. The deadlines for meeting the terms and conditions are based upon the **EFFECTIVE DATE** of this Decision. No notices or reminders will be sent as to compliance with the terms and conditions. Proof of payments of restitution and payments for the Cost of Investigation and Enforcement if ordered, are to be sent to CSLB, Sacramento Case Management, Post Office Box 26888, Sacramento, CA 95826.

This Decision shall become effective on September 20, 2021.

IT IS SO ORDERED August 20, 2021.

  
\_\_\_\_\_  
David Fogt  
Registrar of Contractors

1 ROB BONTA  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 DIANE DE KERVOR  
Deputy Attorney General  
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*Attorneys for Complainant*

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9 **BEFORE THE**  
10 **REGISTRAR OF CONTRACTORS**  
11 **CONTRACTORS STATE LICENSE BOARD**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. N2018-428

15 **CORY LEE BRIZENDINE**  
16 **DBA WEST POINT CUSTOM HOMES**  
17 **820 D Avenue**  
18 **Coronado, CA 92118**

OAH No. 2020080754

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

19 **Contractor's License No. 981782**  
20 **Classification B**

Respondent.

21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
22 entitled proceedings that the following matters are true:

**PARTIES**

23 1. Wood Robinson (Complainant) was the Supervising Special Investigator I of the  
24 Contractors State License Board (Board). He brought this action solely in his official capacity  
25 and is represented in this matter by Rob Bonta, Attorney General of the State of California, by  
26 Diane de Kervor, Deputy Attorney General.

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2. Respondent Cory Lee Brizendine, dba West Point Custom Homes (Respondent) is represented in this proceeding by attorney William L. Miltner, whose address is: Miltner & Menck, APC, 402 West Broadway, Suite 800, San Diego, CA 92101.

3. On or about March 9, 2013, the Registrar of Contractors (Registrar) issued Contractor's License No. 981782, B to Cory Lee Brizendine, dba West Point Custom Homes. The Contractor's License was in full force and effect at all times relevant to the charges brought in Accusation No. N2018-428, and will expire on March 31, 2023, unless renewed.

## JURISDICTION

4. Accusation No. N2018-428 was filed before the Registrar, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 20, 2019. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. N2018-428 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. N2018-428. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Accusation  
3 No. N2018-428, if proven at a hearing, constitute cause for imposing discipline upon his  
4 Contractor's License.

5 10. For the purpose of resolving the Accusation without the expense and uncertainty of  
6 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
7 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest  
8 those charges.

9 11. Respondent agrees that his Contractor's License is subject to discipline and he agrees  
10 to be bound by the Registrar's probationary terms as set forth in the Disciplinary Order below.

11 **RESERVATION**

12 12. The admissions made by Respondent herein are only for the purposes of this  
13 proceeding, or any other proceedings in which the Registrar of Contractors, Contractors State  
14 License Board, or other professional licensing agency is involved, and shall not be admissible in  
15 any other criminal or civil proceeding.

16 **CONTINGENCY**

17 13. This stipulation shall be subject to approval by the Registrar of Contractors or the  
18 Registrar's designee. Respondent understands and agrees that counsel for Complainant and the  
19 staff of the Contractors' State License Board may communicate directly with the Registrar  
20 regarding this stipulation and settlement, without notice to or participation by Respondent or his  
21 counsel. By signing the stipulation, Respondent understands and agrees that he may not  
22 withdraw his agreement or seek to rescind the stipulation prior to the time the Registrar considers  
23 and acts upon it. If the Registrar fails to adopt this stipulation as its Decision and Order, the  
24 Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this  
25 paragraph, it shall be inadmissible in any legal action between the parties, and the Registrar shall  
26 not be disqualified from further action by having considered this matter.

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14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Registrar may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

## DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Contractor's License No. 981782 issued to Respondent Cory Lee Brizendine, dba West Point Custom Homes is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

1. **Obey All Laws.** Respondent shall comply with all federal, state and local laws, including all building laws and uniform codes, governing the activities of a licensed contractor in California.

2. **Interviews With Special Investigator.** Respondent and any of Respondent's personnel of record shall appear in person for interviews with the Registrar or designee upon request and reasonable notice during the probationary period.

3. **Completion Of Probation.** Upon successful completion of probation, the Contractor's License will be fully restored.

4. **Violation Of Probation.** If Respondent violates probation or any condition of probation in any respect, the Registrar, after giving notice and opportunity to be heard, may revoke probation and impose the disciplinary order that is stayed. If an accusation or petition to

1 revoke probation is filed against Respondent during the probationary period, then the Registrar  
2 shall have continuing jurisdiction of this matter until the subsequent matter is final, and the period  
3 of probation and all the conditions of probation in this matter shall be extended until the  
4 subsequent matter is final. If there is an order to make restitution or pay cost recovery and  
5 Respondent fails to comply with the restitution or cost recovery order and make a payment, the  
6 Registrar may immediately lift the stay and reimpose the disciplinary order without giving  
7 Respondent an opportunity to be heard.

8       **5. Restitution.** Respondent shall pay the sum of \$50,000 to George and Lisa Evans,  
9 pursuant to the following payment plan: \$5,000.00 is due on September 1, 2021; \$20,000.00 is  
10 due on October 1, 2021; and ten (10) monthly payments of \$2,500.00 shall be paid, starting on  
11 November 1, 2021, and continuing until the full amount is paid. Proof of each such payment  
12 shall be submitted to the Contractors State License Board Case Management Probation Monitor at  
13 P.O. Box 26000, Sacramento, CA 95827. Failure to submit proof to the Registrar or designee of  
14 such payment of restitution to the victim shall automatically terminate the stay of the order of  
15 revocation and Respondent's license shall be revoked effective thirty (30) days from the due date  
16 of the delinquent payment without further notice or hearing.

17       **6. Disciplinary Bond.** Not later than the effective date of the decision, Respondent  
18 shall file or have on file a disciplinary contractor's bond in a sum to be fixed by the registrar  
19 based upon the seriousness of the violation, but which sum shall not be less than fifteen thousand  
20 dollars (\$15,000) nor more than 10 times that amount required by Business and Professions Code  
21 section 7071.6. The disciplinary bond is in addition to, may not be combined with, and does not  
22 replace any other type of contractor's bond. The disciplinary bond shall remain on file with the  
23 registrar for a period of at least two years and for such additional time as the registrar may  
24 determine, as required by Business and Professions Code section 7071.8.

25       **7. Respond To Inquiry From Probation Monitor.** Respondent shall respond in  
26 writing within 20 calendar days of any written inquiry or demand from the Registrar or authorized  
27 designee (Probation Monitor) during the probation period. Failure to respond within the allotted  
28 timeframe shall be considered a violation of the terms of probation.

8. **Law and Business Examination.** Respondent shall take and pass within ninety (90) days of the effective date of the Decision and Order the Contractors' State License Board's law and business examination. Respondent has the burden of applying for, scheduling, and making arrangements to take the exam.

9. **Trade Examination.** Respondent shall take and pass within ninety (90) days of the effective date of the Decision and Order the Contractors' State License Board's trade examination in B Classification – General Contractor. Respondent has the burden of applying for, scheduling, and making arrangements to take the exam.

10. **Cost Recovery.** Respondent shall pay to the Registrar, pursuant to Business and Professions Code section 125.3, the costs of investigation and enforcement in this matter in the amount of \$12,238.72, in 29 equal payments of \$422.02 per month, commencing thirty (30) days from the effective date of the Decision and Order, and until paid in full.

11. **Down Payments.** Respondent shall not accept a “down payment” or any money in advanced of any work being performed on any construction project during the probationary period.

## ACCEPTANCE


I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, William L. Miltner. I understand the stipulation and the effect it will have on my Contractor's License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Registrar of Contractors, Contractors State License Board.

DATED:

CORY LEE BRIZENDINE, DBA WEST POINT  
CUSTOM HOMES  
Respondent

1 I have read and fully discussed with Respondent Cory Lee Brizendine, dba West Point  
2 Custom Homes the terms and conditions and other matters contained in the above Stipulated  
3 Settlement and Disciplinary Order. I approve its form and content.

4 DATED: 7/30/2021

  
WILLIAM L. MILTNER  
*Attorney for Respondent*

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7 **ENDORSEMENT**

8 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
9 submitted for consideration by the Registrar of Contractors, Contractors State License Board.

10 DATED: July 30, 2021

Respectfully submitted,

11  
12 ROB BONTA  
Attorney General of California  
13 JAMES M. LEDAKIS  
Supervising Deputy Attorney General

14 *Diane de Kervor*

15 DIANE DE KERVOR  
16 Deputy Attorney General  
*Attorneys for Complainant*

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