DEPARTMENT OF REAL ESTATE
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

FILED

DECEMBER 5, 2012

DEPARTMENT OF REAL ESTATE

By L. Jones

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

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To: ERICK PAULINO	No. H-2794 FR ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of ERICK PAULINO ("PAULINO"). Based on that investigation, the Commissioner has determined that PAULINO has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code"), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Section 10131(b) (property management services) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

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FINDINGS OF FACT

1. At no time was PAULINO licensed by the Department in any capacity.

2. During the period of time set forth below, PAULINO engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(b) (property management) of the Code.

3. On or about July 27, 2011, PAULINO, in the course of the property management brokerage activities described above, solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by another or others, including, but not limited to, the property located at 112 E. Michigan Avenue, Fresno, California.

4. On about September 19, 2011, PAULINO, in the course of the property management brokerage activities described above, solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by another or others, including, but not limited to, the properties located at 5711 N. Delbert Avenue, Fresno, California, and 924 El Paso, Fresno, California.

5. On about May 23, 2012, PAULINO, in the course of the property management brokerage activities described above, solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by another or others, including, but not limited to, the property located at 1515 N. Willow Avenue, Fresno, CA.

CONCLUSIONS OF LAW

6. Based on the findings of fact contained in Paragraphs 1 through 5, above, PAULINO has performed and/or participated in activities which require a real estate license under Sections 10130 and 10131(b) of the Code during a period of time when PAULINO was not licensed by the Department in any capacity.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you, ERICK PAULINO, whether doing business under your own name, or any other names or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular, you are ordered to desist and refrain from soliciting or providing or participating in property management services for others and for compensation, unless and until you obtain a real estate broker license issued by the Department.

DATED: December 5, 2012

REAL ESTATE COMMISSIONER

William E. Moran

- NOTICE -

Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000)."