BUREAU OF REAL ESTATE
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FILED

November 4, 2013

BUREAU OF REAL ESTATE

By _____

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To: SARAH UNGER	No. H-2839 FR ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner (Commissioner) of the State of California has caused an investigation to be made of the activities of SARAH UNGER (UNGER), including engaging in the business of, acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning of Section 10131(b) of the California Business & Professions Code (the Code). Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that:

UNGER has violated Section 10130 of the Code by engaging in the business of or acting as a real estate broker, within the meaning of Sections 10130 (act as a real estate broker or salesman without a license), 10131(b) (engaging in property management activities) and 10137 (Accepting Compensation from Person Other Than Broker) of the Code without first having obtained a real estate broker license from the California Bureau of Real Estate (Bureau).

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FINDINGS OF FACT

1. UNGER was licensed by the Bureau of Real Estate as a real estate salesperson until June 12, 2012, when her license expired.

2. At no time within the last three years was UNGER licensed by the Bureau as a real estate broker.

3. At all times mentioned herein, continuing up to at least October 15, 2013, UNGER engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(b) of the Code, including leasing, renting, or offering places to rent, negotiating the sale or purchase of leases of real property or collecting rents on real property for compensation or in expectation of compensation, including but not limited to real property commonly known as: 1614 Lockhart Gulch Road, Scots Valley, California (Lockhart Property).

4. At all times mentioned herein, continuing up to at least until August 12, 2012, UNGER accepted compensation for property management activities directly from the owner of the Lockhart Property.

CONCLUSIONS OF LAW

5. Based on the findings of fact contained in paragraphs 1 through 4, above, UNGER, among other things, solicited and/or performed services for landlords, borrowers, including, but not limited to, collecting rents and depositing the same into trust accounts, offering places to rent on behalf of landlords, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for a fee for such services. Thus, UNGER violated Sections 10130, 10131(b) and 10137 of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore SARAH UNGER IS HEREBY ORDERED TO IMMEDIATELY DESIST AND REFRAIN FROM:

(1) Performing any and all acts within the State of California for which a real estate license is required, unless and until she obtains a real estate salesperson or broker license, as appropriate.

(2) Accepting compensation from any person other than the broker under whom she is licensed.

DATED: OCT 21 2013

REAL ESTATE COMMISSIONER

By: JEFFREY MASON
Chief Deputy Commissioner

-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)...."