BUREAU OF REAL ESTATE
1651 Exposition Boulevard
P. O. Box 137007
Sacramento, CA 95813-7007

Telephone: (916) 263-8670

FILED

JUN 23 2014

BUREAU OF REAL ESTATE

By K. Contreras

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

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To: KENNETH SCOTT KULPA.	NO. H-2895 FR ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner (Commissioner) of the California Bureau of Real Estate (Bureau) has caused an investigation to be made of the activities of KENNETH SCOTT KULPA (KULPA). Based on that investigation, the Commissioner has determined that KULPA 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 acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning of Code Sections 10130 and 10131(a) (property sales). Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under the authority of Code Section 10086.

FINDINGS OF FACT

1. Effective September 14, 2011, KULPA's real estate license was revoked, pursuant to Sections 490 and 10177(b) of the Code.

2. On about November 30, 2012, KULPA solicited consumers, through his website known as "Land by the Sea," web address landbythesea.com., advertising properties located at the following addresses: E. Bolivar Street, Salinas, CA; Hidden Glen Drive, Scotts Valley, CA; Lincoln Street, Watsonville, CA; Valencia Avenue, Seacliff, CA; and Tanfield Lane, San Jose, CA.

3. On about August 22, 2013, KULPA solicited a Special Investigator from the Bureau for a property located in Madera, CA for a price between $75,000 and $125,000 located "by the water."

CONCLUSIONS OF LAW

4. Based on the Findings of Fact contained in Paragraphs 1 through 3, KULPA has performed and/or participated in property sales which require a real estate license under Sections 10130 and 10131(a) of the Code during a period of time when KULPA was not licensed by the Bureau in any capacity.

DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein KULPA IS HEREBY ORDERED to immediately Desist and Refrain from performing any acts within the State of California for which a real estate license is required, and in particular, to immediately Desist and Refrain from soliciting or providing or participating in property sales for others for compensation unless and until an appropriate license is issued by the Bureau.

DATED: June 20, 2014

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) . . ."

ATTY MFC/kc