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FILED

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BUREAU OF REAL ESTATE

By B. Contreras

BEFORE THE

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To: KIM YORK, RANDY YORK, and ROYALTY PROPERTY MANAGEMENT.	NO. H-2902 FR ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of KIM YORK ("KYORK"), RANDY YORK ("RYORK"), and ROYALTY PROPERTY MANAGEMENT ("RPM"). Based on that investigation, the Commissioner has determined that KYORK, RYORK and RPM have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code of Regulations ("Regulations"), 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 Section 10131(b) (representing clients in the capacity of a rental property manager) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. At no time has KYORK been licensed by the Bureau in any capacity.

2. At no time has RYORK been licensed by the Bureau in any capacity.

3. In or about the period of March 23, 2009, through January 12, 2011, RPM was registered with the Bureau as a dba for licensed real estate broker Antonio Louis Prandini ("PRANDINI"). RPM possesses a business license issued by the City of Porterville, California. The owners of RPM are KYORK and RYORK. However, at no time has RPM been licensed by the Bureau to conduct real estate activity outside the real estate broker license of PRANDINI, and specifically not through KYORK and/or RYORK.

4. At least during the period of time set out below, KYORK, RYORK, and RPM, for or in expectation of compensation, negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: soliciting and showing properties to prospective tenants, negotiating rental terms, preparing rental agreements and collecting rent on behalf of clients.

5. On or about June 21, 2012, a Deputy Commissioner of the Bureau's Fresno District Office reviewed Respondents' website www.royaltypropertymanagement.net, which stated that the company's mission was to provide "the most professional and complete management services".

6. On or about November 13, 2012, Deputy Commissioners from the Bureau's Fresno District Office drove to Respondents' offices located at 263 North Third Street, Porterville, California, to determine whether Respondents were still offering property management services. While at Respondents' offices, the Deputy Commissioners were provided by KYORK with a list of available rental properties and the keys to view the real property located at 1114 West Bel Aire Circle, Porterville, California. KYORK informed the Deputy Commissioners that the Bel Aire Circle property was immediately available for a rent payment of $725 per month. KYORK instructed the Deputy Commissioners that they would need to provide her with a completed application for the Bel Aire Circle property along with a $20 non-refundable fee if they were interested in renting the property.

7. On or about December 10, 2012, Respondents advertised in the Porterville Recorder newspaper offering to provide real property rentals for at least six (6) residential properties and two (2) office spaces.

8. On or about June 18, 2013, a Deputy Real Estate Commissioner from the Bureau's Fresno District Office visited Respondents' offices in Porterville to determine if Respondents were continuing to offer real property management services or prepaid rental listing services. At Respondents' office, the Deputy Commissioner observed a posted notice at the entrance which requested that rental payments be placed in Respondents' mail slot. The notice also directed anyone interested in a rental to leave a message and Respondents would call them. In addition, the notice indicated that rental applications were located in a nearby slot, which was empty on the day the Deputy Commissioner was there. On that day, the Deputy Commissioner spoke with Respondents' employee Renee Acevedo ("ACEVEDO") about a rental property located at 277 North Murry, Porterville, California. ACEVEDO informed the Deputy Commissioner that the North Murry property would not be available for viewing until July 1, 2012. ACEVEDO stated the Deputy Commissioner would need to submit an application along with separate $20 non-refundable application fees for the Deputy Commissioner and her boyfriend.

9. On or about June 19, 2013, a Deputy Commissioner from the Bureau's Fresno District Office contacted PRANDINI and confirmed PRANDINI had cancelled the dba of "Royalty Property Management" for his real estate broker license. PRANDINI confirmed that he had not been associated with KYORK, RYORK, and RPM for "a couple of years".

CONCLUSIONS OF LAW

10. Based on the Findings of Fact contained in Paragraphs 1 through 9, above, KIM YORK, RANDY YORK, and ROYALTY PROPERTY MANAGEMENT have performed and/or participated in property management or prepaid rental listing service activities which require a real estate license under Section 10131(b) and 10167.2 (license requirement) of the Code during a period of time when KIM YORK, RANDY YORK, and ROYALTY PROPERTY

MANAGMENT were not licensed by the Bureau in any capacity, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, KIM YORK, RANDY YORK, and ROYALTY PROPERTY MANAGEMENT are ordered to immediately desist and refrain from performing any and all acts within the State of California for which a real estate broker license is required and, in particular, you are to immediately desist and refrain from providing or participating in property management or prepaid rental listing services for others and for compensation and/or the expectation of compensation.

DATED: 6/26/2014

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)...."

To: ROYALTY PROPERTY MANAGEMENT
KIM YORK
RANDY YORK

ATTY JWB/kc