Department of Real Estate
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FILED
MAR - 7 2013
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To: RICK DALLIN.	NO. H-4469 SD ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("the Commissioner") of the California Department of Real Estate ("the Department") caused an investigation to be made of the activities of RICK DALLIN ("Respondent"). Based on that investigation, the Commissioner has determined that Respondent 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") 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 Sections 10131(a) (soliciting prospective sellers or purchasers of, soliciting or obtaining lists of, or negotiating the purchase, sale or exchange of real property) and 10131(d) (operation and conduct of a loan brokerage business with the public, wherein, on behalf of others, for compensation or in expectation of compensation, Respondent solicited lenders and borrowers for loans secured directly or collaterally by liens on real property) of the Code. Furthermore, based on the

of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. At all times relevant herein, Respondent was and is licensed by the Department as a real estate salesperson and was not employed by a licensed real estate broker. At no time has Respondent been licensed as a real estate broker by the Department.

2. During the period of time set out below, Respondent solicited prospective sellers or purchasers of, solicited or obtained lists of, or negotiated the purchase, sale or exchange of real property, and operated and conducted a loan brokerage business with the public, wherein, on behalf of others, for compensation or in expectation of compensation, Respondent solicited lenders and borrowers for loans secured directly or collaterally by liens on real property.

3. In furtherance of his plan and scheme to solicit buyers and sellers of real estate and to conduct a loan brokerage business, on or about June 30, 2010, Respondent maintained and operated a website with the title "RICK DALLIN – Realtor, Independence Realty". On that website, Respondent represented himself as a licensed real estate agent with sections listed "FOR BUYERS" and "FOR SELLERS". In addition, the website included the following statement: "When it comes to San Diego Real Estate, if you're thinking of Buying, Selling, Investing, or 1031 Exchange...Call Rick Dallin – 610-265-XXXX".

4. In furtherance of his plan and scheme to solicit buyers and sellers of real estate and to conduct a loan brokerage business, on or about January 3, 2012, Respondent maintained and operated a website titled www.thedallingroup.com, which included sections for buyers and sellers of real estate. The buyers' page indicated that Respondent offered a "full service brokerage from purchase to close". The sellers' page stated that Respondent offered "full service brokerage available at a low price".

CONCLUSIONS OF LAW

5. Based on the Findings of Fact contained in Paragraphs 1 through 4, above, RICK DALLIN solicited prospective sellers or purchasers of, solicited or obtained lists of, or negotiated

the purchase, sale or exchange of real property, and operated and conducted a loan brokerage business with the public, wherein, on behalf of others, for compensation or in expectation of compensation, Respondent solicited lenders and borrowers for loans secured directly or collaterally by liens on real property, which acts require a real estate broker license under Sections 10130 (broker license requirement), 10131(a) and 10131(d) of the Code.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, RICK DALLIN, whether doing business under your own name, or any other name or fictitious name, IS HEREBY 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 unless and until you are properly licensed by the Department as a real estate broker.

DATED: 2/27/2013

REAL ESTATE COMMISSIONER

By: _____

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)...."

cc: RICK DALLIN
P. O. Box 151177
San Diego, CA 92175

ATTY JWB/km