

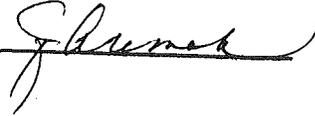
1 Bureau of Real Estate  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

**FILED**

DEC 16 2013

BUREAU OF REAL ESTATE

By 

8 BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 To:

12 )  
13 ) INDIANA HOMES and  
14 ) JOHN ANTHONY GUARDADO  
15 )

No. H-4547 SD

16 ) ORDER TO DESIST  
17 ) AND REFRAIN  
18 ) (B&P Code Section 10086)

16 The Commissioner ("Commissioner") of the California Bureau of Real Estate  
17 ("Bureau") caused an investigation to be made of the activities of INDIANA HOMES  
18 ("INDIANA") and JOHN ANTHONY GUARDADO ("GUARDADO") and has determined that  
19 they have engaged in or are engaging in acts or practices constituting violations of the California  
20 Business and Professions Code ("Code") and/or Title 10, California Code of Regulations  
21 ("Regulations") including engaging in the business of a prepaid rental listing service in the State  
22 of California within the meaning of Code Section 10167.2 (unlawful to engage in prepaid rental  
23 listing service unless licensed in that capacity or a real estate broker). Based on the findings of  
24 that investigation, as set forth below, the Commissioner hereby issues the following Findings of  
25 Fact and Desist and Refrain Order pursuant to Code Section 10086.

26 FINDINGS OF FACT

27 1. At no time herein mentioned have INDIANA or GUARDADO been licensed

1 by the Bureau in any capacity.

2           2. On or about April 23, 2012, GUARDADO filed a Fictitious Business Name  
3 Statement with the Riverside County Clerk, which registered INDIANA as a fictitious business  
4 name for GUARDADO.

5           3. Whenever acts referred to below are attributed to INDIANA, those acts are  
6 alleged to have been done by INDIANA, acting by itself, or by and/or through one or more  
7 agents, associates, affiliates, and/or co-conspirators including, but not limited to, GUARDADO  
8 and using the names INDIANA HOMES, or any fictitious name unknown at this time.

9           4. On or about May 4, 2012, Dale D. paid an advance fee of \$180 to INDIANA  
10 for listings of residential real properties for tenancy. The advance fee was collected pursuant to  
11 provisions of a contract between Dale D. and INDIANA, in which INDIANA agreed to provide  
12 listings of available real properties for tenancy to Dale D.

13           5. On or about July 18, 2012, Ingrid H. paid an advance fee of \$180 to INDIANA  
14 for listings of residential real properties for tenancy. The advance fee was collected pursuant to  
15 provisions of a contract between Ingrid H. and INDIANA, in which INDIANA agreed to provide  
16 listings of available real properties for tenancy to Ingrid H.

17           6. On or about June 11, 2012, Jennifer W. paid an advance fee of \$180 to  
18 INDIANA for listings of residential real properties for tenancy. The advance fee was collected  
19 pursuant to provisions of a contract between Jennifer W. and INDIANA, in which INDIANA  
20 agreed to provide listings of available real properties for tenancy to Jennifer W.

21           7. On or about December 6, 2012, Elizabeth R. paid an advance fee of \$195 to  
22 INDIANA for listings of residential real properties for tenancy. The advance fee was collected  
23 pursuant to provisions of a contract between Elizabeth R. and INDIANA, in which INDIANA  
24 agreed to provide listings of available real properties for tenancy to Elizabeth R.

25           8. On or about October 6, 2012, Jorge & Basilisa G. paid an advance fee of \$195  
26 to INDIANA for listings of residential real properties for tenancy. The advance fee was  
27 collected pursuant to provisions of a contract between Jorge & Basilisa G. and INDIANA, in

1 which INDIANA agreed to provide listings of available real properties for tenancy to Jorge &  
2 Basilisa G.

3 CONCLUSIONS OF LAW

4 9. The supplying of prospective tenants with listings of residential real  
5 properties for tenancy, for a fee in advance of, or contemporaneously with, the supplying of the  
6 listings, is an act for which a Prepaid Rental Listing Service license is required, as set forth in  
7 Code Section 10167.2 (unlawful to engage in prepaid rental listing service unless licensed in  
8 that capacity or a real estate broker).

9 7. Based on the information contained in Paragraphs 1 through 8 above,  
10 INDIANA and GUARDADO performed and/or participated in prepaid rental listing services  
11 which require a prepaid rental listing service license or real estate broker license under the  
12 provisions of Code Section 10167.2 (unlawful to engage in prepaid rental listing service unless  
13 licensed in that capacity or a real estate broker) during a period of time when neither of them  
14 were licensed by the Bureau as a real estate broker or prepaid rental listing service, in violation  
15 of Code Section 10167.2 (unlawful to engage in prepaid rental listing service unless licensed in  
16 that capacity or a real estate broker).

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