BUREAU OF REAL ESTATE
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Los Angeles, California 90013

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FILED

JAN 27 2014

BUREAU OF REAL ESTATE

By

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

To:	
JEROME SHERMAN KERNS	NO. H- 4574 SD
	ORDER TO DESIST AND REFRAIN
	(B&P Code Section 10086)

The Commissioner (Commissioner) of the California Bureau of Real Estate (Bureau) caused an investigation to be made of the activities JEROME SHERMAN KERNS (KERNS). Based on that investigation, the Commissioner has determined that KERNS 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 the business of, acting in the capacity of, and/or assuming to act as a real estate broker in the State of California within the meaning of Section 10131(b) (leasing, offering to lease or collecting rents for the real property of another) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed KERNS, those acts are alleged to have been done by KERNS, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators.

FINDINGS OF FACT

1. KERNS was licensed by the Bureau (then the "Department of Real Estate") as a real estate broker from December 12, 1991 to December 11, 2003, when his license expired. KERNS has not been licensed by the Bureau since December 11, 2003

2. On or about September 10, 2011, KERNS entered into a Lease/Rental Commission Agreement with Mr. and Mrs. Jeffrey B., who were the owners of the rental property at issue. This Agreement identified KERNS as a "real estate broker". In the agreement Mr. and Mrs. Jeffrey B agreed to pay KERNS the first month's rent and 8.33% of subsequent rents that KERNS collected from the tenants of the rental property.

CONCLUSIONS OF LAW

3. Based on the findings of fact contained in paragraphs 1 and 2 KERNS, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, leased, offered to lease, or collected rents for the real property of others, which acts require a real estate broker license under Section 10131(b) of the Code, during a period of time KERNS was not licensed by the Bureau as a real estate broker, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that JEROME SHERMAN KERNS, whether doing business under this own name, or any other name, IS HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required.

DATED: JAN 2 2 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)."

cc: JEROME SHERMAN KERNS
6918 Paseo Laredo
La Jolla, CA 92037