DEPARTMENT OF REAL ESTATE
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FILED

JUN 24 2011

DEPARTMENT OF REAL ESTATE

By D. Contreras

BEFORE THE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

TO: SEISIN ENTERPRISES, INC., A Corporation, KIMBERLY A. HENDERSON, and DAVID MIKEL HOWARD.	NO. H-5627 SAC ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of SEISIN ENTERPRISES, INC. (SEISIN) dba Full Service Property Management (FSPM), KIMBERLY A. HENDERSON (HENDERSON), and DAVID MIKEL HOWARD (HOWARD). Based on that investigation, the Commissioner has determined that SEISIN, HENDERSON, and HOWARD 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 real estate brokers in the State of California within the meaning of Code Section 10131(b) (property management services). 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. At no time herein mentioned has SEISIN been licensed by the Department in any capacity.

2. At no time herein mentioned has HENDERSON been licensed by the Department in any capacity.

3. At no time herein mentioned has HOWARD been licensed by the Department in any capacity.

4. During the periods of time set out below, SEISIN dba FSPM, HENDERSON, and HOWARD negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: lease or rent or offer to lease or rent; place for rent; solicit listings of places for rent; solicit for prospective tenants; negotiate the sale, purchase or exchange of leases on real property, or on a business opportunity; collect rents from real property, or improvements thereon, or from business opportunities.

5. On or about September 24, 2010, SEISIN dba FSPM and HOWARD solicited Frank Z., offering "a full suite of property management services" including soliciting and placing prospective tenants into rental properties and providing "high quality property management services".

6. On or about October 6, 2010, SEISIN dba FSPM and HENDERSON solicited property management services through the SEISIN dba FSPM website and a telephone conversation with Department employee (Heather N.), which included marketing the property, collecting rents and security deposits, and soliciting, qualifying, and placing prospective tenants in Heather N's rental property.

CONCLUSIONS OF LAW

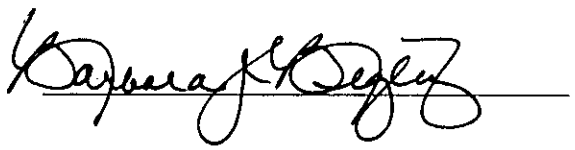
7. Based on the Findings of Fact contained in Paragraphs 1 through 6, SEISIN dba FSPM, HENDERSON, and HOWARD have performed and/or participated in property management activities which require a real estate license under Code Sections 10130 and 10131(b) during a period of time when SEISIN dba FSPM, HENDERSON, and HOWARD were not licensed by the Department in any capacity.

DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, you SEISIN ENTERPRISES, INC., dba Full Service Property Management, KIMBERLY A. HENDERSON, and DAVID MIKEL HOWARD, ARE 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, and in particular, that you immediately Desist and Refrain from providing or participating in property management services for others and for compensation unless and until you, individually, obtain an appropriate license issued by the Department.

DATED: 6/6, 2011

BARBARA J. BIGBY
Acting Real Estate 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: SEISIN ENTERPRISES, INC., dba Full Service Property Management
KIMBERLY A. HENDERSON
DAVID MIKEL HOWARD
641-643 Flume Street
Chico, CA 95928

TTY MFC/kc

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE
LEGAL

SERVICE NOTICE

RE 576 (Rev. 9/88)

❖❖❖ ***This notice is required by California Civil Procedure (C.C.P.) §412.30.*** ❖❖❖

TO THE PERSON SERVED:

DAVID MIKEL HOWARD, Agent for Service of Process

(Name of individual being served)

SEISIN ENTERPRISES, INC.

(Name of corporation or unincorporated association)

You are hereby served the attached Order on behalf of the corporation or unincorporated association named above as a person upon whom a copy of the Order may be delivered to effect service on said party under the provisions of:

- [x] C.C.P. §416.10 *(Corporation)*
- [ ] C.C.P. §416.40 *(Unincorporated association, including partnership)*
- [ ] C.C.P. §

- [x] Service is being made on you as an individual *as well* as on behalf of the corporation or the unincorporated association.
- [ ] Service is being made on you on behalf of the corporation or the unincorporated association, *not* as an individual.