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DEPARTMENT OF REAL ESTATE  
P. O. Box 187007  
Sacramento, CA 95818-7007  
Telephone: (916) 227-0791

FILED

APR 06 2012

DEPARTMENT OF REAL ESTATE

By *D. Jones*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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To:	)	
	)	NO. H-5802 SAC
ALICE EARLS, individually,	)	
and doing business as AME PROPERTIES	)	<u>ORDER TO DESIST AND REFRAIN</u>
	)	(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 ALICE EARLS, individually and doing business as AME PROPERTIES. Based on that investigation, the Commissioner has determined that ALICE EARLS, individually and doing business as AME PROPERTIES, 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 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.

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1 FINDINGS OF FACT

2 1. At all times relevant herein, ALICE EARLS was not and is not licensed by  
3 the Department of Real Estate to conduct activities which require a real estate license in  
4 California.

5 2. At all times relevant herein, AME PROPERTIES was not and is not  
6 licensed by the Department of Real Estate to conduct activities which require a real estate license  
7 in California

8 3. At least during the period of time set out below, ALICE EARLS,  
9 individually and doing business as AME PROPERTIES, negotiated to do one or more of the  
10 following acts for another or others, for or in expectation of compensation: soliciting and  
11 showing properties to prospective tenant, negotiating rental terms, and preparing rental  
12 agreements on behalf of clients.

13 4. On or about July 22, 2011, Tatyana E. entered into an agreement wherein  
14 ALICE EARLS, individually and doing business as AME PROPERTIES, was to manage a  
15 certain property owned by Tatyana E. located on Bankside Way, Sacramento, California.

16 5. On or about January 12, 2012, ALICE EARLS executed a declaration  
17 under penalty of perjury admitting to the Department of Real Estate that she was doing business  
18 as AME PROPERTIES and managed real properties belonging to others for compensation.

19 CONCLUSIONS OF LAW

20 Based on the findings of fact contained in paragraphs 1 through 5, ALICE  
21 EARLS, individually and doing business as AME PROPERTIES, performed and/or participated  
22 in property management activities which require a real estate license under Section 10131(b) of  
23 the Code during a period of time when neither ALICE EARLS nor AME PROPERTIES was  
24 licensed by the Department in any capacity.

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3 DESIST AND REFRAIN ORDER

4 Based upon the findings of fact and conclusions of law stated herein, **ALICE**  
5 **EARLS, individually and doing business as AME PROPERTIES, IS HEREBY ORDERED**  
6 to immediately desist and refrain from performing any acts within the State of California for  
7 which a real estate broker license is required, and in particular, to immediately desist and refrain  
8 from providing or participating in property management services for others and for compensation  
9 unless and until properly licensed by the Department.

10 DATED: 3/21, 2012

11 BARBARA J. BIGBY  
12 Acting Real Estate Commissioner

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14

15 -NOTICE-

16 Business and Professions Code Section 10139 provides that, "Any person acting  
17 as a real estate broker or real estate salesperson without a license or who advertises using words  
18 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
19 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
20 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
21 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
22 (\$60,000)...."

23  
24 cc: ALICE EARLS  
25 6887 Olive Tree Way  
26 Citrus Heights, CA 95610  
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