DEPARTMENT OF REAL ESTATE
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FILED

December 24, 2012

DEPARTMENT OF REAL ESTATE

By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

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To: LANDMARK MANAGEMENT SERVICES INC., THALIA JONES, and LASHANNA CUMMINGS	NO. H-5934 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 LANDMARK MANAGEMENT SERVICES INC. (LANDMARK), THALIA JONES (JONES), and LASHANNA CUMMINGS (CUMMINGS). Based on that investigation, the Commissioner has determined that LANDMARK, JONES, and CUMMINGS 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), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Section 10131(b) (property management services). 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 to LANDMARK, those acts are alleged to have been done by JONES and/or CUMMINGS, acting by themselves, or by and/or

through one or more agents, associates, affiliates, and/or co-conspirators, and using the name "Landmark Management Services.", "Landmark Real Estate Holding, LLC", or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. At no time was LANDMARK licensed by the Department in any capacity. LANDMARK is a corporation registered and in good standing in the State of Nevada. JONES is the President and Chief Executive Officer (CEO) of LANDMARK and CUMMINGS is the Executive Vice President of LANDMARK.

2. At no time was JONES licensed by the Department in any capacity.

3. At no time was CUMMINGS licensed by the Department in any capacity.

4. During the period of time set forth below, LANDMARK, JONES, and CUMMINGS, on behalf of others, for compensation or in expectation of compensation, leased or rented and offered to lease or rent, and solicited for prospective tenants of real property or improvements thereon, and collected rents from real property or improvements thereon.

5. Within the last three years, CUMMINGS, who was acting on behalf of LANDMARK, in the course of the property management brokerage activities described above, solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by another or others, including, but not limited to the rental proprieties located at 1801 Marshall Road, Unit #208, Vacaville, 1628 Tuscon Circle, Suisun City, and 816 Mariposa Street, Rodeo.

6. Within the last three years, JONES, acting on behalf LANDMARK in the course of the property management brokerage activities described above, solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by another or others, including, but not limited to the rental proprieties located at 2416 Robles Drive, Antioch, 1628 Tuscon Circle, Suisun City, and 800 Glendome Circle, Oakland.

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7. LANDMARK, in the course of the property management brokerage activities described above, solicited prospective clients via a website, www.lmrkservices.com. As described on the website, LANDMARK makes the following services and general claims:

- "Landmark Management Services Inc. of Vallejo, California, is a property management company offering income management services, tenant screening, and placement services."
- "We offer
  - Thorough Background Checks and Screening of Applicants
  - Monthly Reports of Detailed Accounting Documentation
  - Placement Services"
- "Our Mission strives to provide the most Professional, effective, accurate and efficient property management service available. We have a company wide commitment to maximize the long term profitability for our owners, while maintaining quality housing for our tenants. Landmark has created effective management programs for a wide variety of real estate holdings. Our primary methodology is to work closely with you, so we form a better understanding of your, your property, and your goals. Our expertise and knowledge in property management has been acquired through years of experience. The scope and breadth of our staff allows you to have a specialized team at work on your property's needs. As a result, you will not find a firm more qualified to handle both the operational and financial management of your property's physical and financial assets."
- "We specialize in providing professional full service property management for Contra Costa, and Solano County including: Vallejo, Napa, Pittsburg, Antioch, San Pablo, Richmond,

Hercules, Fairfield, Vacaville, Rodeo, Crockett, Walnut Creek, Concord, Martinez, Suisun, Rio Vista, Benicia, American Canyon, Novato"

- "Our monthly management fee includes all of the following services:
  - Collection of rents
  - Serving of appropriate notices
  - Accurate accounting of monies collected
  - Handling tenant complaints and requests 24-hours a day
  - Coordinating all preventive and necessary maintenance
  - Paying bills associated with the property upon request of the owner
  - Detailed record keeping and documentation
  - Provide detailed monthly report and proceeds
  - Provide year end totals/reports and 1099's for tax purposes
  - Meet with legal counsel and process evictions
  - Appear in small claims court on behalf of owner
  - Comprehensively walk the property, survey the property completely at least once every 90 days, and every 6 months thereafter
  - Assign any routine maintenance needed to maintenance staff
  - Placement of For Rent Sign on the Property
  - Placement of For Rent as in specified publications
  - Placement of the property on our vacancy list
  - 24 automated voicemail system
  - Posting photos on web
  - Showing the property to prospective applicants
  - Thorough screening of all applicants
  - Selection of a tenant and signing of lease and pertinent documents"

CONCLUSIONS OF LAW

8. Based on the findings of fact contained in Paragraphs 1 through 7, LANDMARK, JONES, and CUMMINGS, have performed and/or participated in property management activities which require a real estate license under Sections 10130 and 10131(b) of the Code during a period of time when LANDMARK, JONES, and CUMMINGS were not licensed by the Department in any capacity.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, LANDMARK, JONES, and CUMMINGS, whether doing business under your own name, or any other names or fictitious names, 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. In particular, you are ordered to desist and refrain from soliciting or providing or participating in property management services for others and for compensation, unless and until you obtain a real estate broker license issued by the Department.

DATED: 12/17/2012

REAL ESTATE COMMISSIONER

By WAYNE S. BELL
Chief Counsel

- 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)."