BUREAU OF REAL ESTATE
P. O. Box 137007
Sacramento, CA 95813-7007

Telephone: (916) 263-8672

FILED

November 26, 2013

BUREAU OF REAL ESTATE

By _____

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

To: MIKE STEPHEN QUAGLINO	No. H-6053 SAC ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner (Commissioner) of the California Bureau of Real Estate (Bureau) caused an investigation to be made of the activities of MIKE STEPHEN QUAGLINO (QUAGLINO) dba QUAIL PROPERTY MANAGEMENT. Based on that investigation, the Commissioner has determined that QUAGLINO 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 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.

FINDINGS OF FACT

1. At no time after August 1, 1996, was QUAGLINO licensed by the Bureau in any capacity.

2. QUAIL PROPERTY MANAGEMENT is a fictitious business name of QUAGLINO.

3. From August 2, 1996 to present, QUAGLINO, 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.

4. Within the last three years, QUAGLINO, using the fictitious business name QUAIL PROPERTY MANAGEMENT, 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: 11960 Campo Seco Road, Sonora, California, owned by Sandra and Jack L.; and 18557 Pine Street, Tuolumne, California, owned by Stephen J.

CONCLUSIONS OF LAW

5. Based on the findings of fact contained in Paragraphs 1 through 4, QUAGLINO has 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 QUAGLINO was not licensed by the Bureau in any capacity.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, QUAGLINO, whether doing business under his own name, or any other names or fictitious names, 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. In particular, QUAGLINO IS ORDERED TO DESIST AND REFRAIN from soliciting or providing or participating in property management services for others and for compensation, unless and until QUAGLINO obtains a real estate broker license issued by the Bureau.

DATED: NOV 06 2013

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)."