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March 5, 2014

BUREAU OF REAL ESTATE

By L. Jones

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To: DANIEL BRUNO METZLER	No. H-6089 SAC ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner of the State of California (Commissioner) has caused an investigation to be made of the activities of DANIEL BRUNO METZLER (METZLER), including engaging in real estate activity without a real estate license within the State of California within the meaning of Section 10130 of the Business and Professions Code (Code), and engaging in the business of, 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) of the Code. Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that:

METZLER has violated Section 10137 of the Code by accepting compensation from someone other than an employing broker; has violated Section 10130 of the Code by engaging in the business of or acting as a real estate salesperson or broker; and has violated Section 10131 (b) of the Code by engaging in property management activity without first having obtained a real estate broker license from the California Bureau of Real Estate (Bureau).

Whenever acts referred to below are attributed to METZLER, those acts are alleged to have been done by METZLER, acting by himself, or by and/or through one or more agents, associates, and/or co-conspirators, and using other names or fictitious name including, but not limited to JW PROPERTIES (JWP), unknown at this time.

FINDINGS OF FACT

1. METZLER's salesperson license was revoked with a right to a restricted salesperson license, which was granted on December 13, 2012. On August 20, 2013, the Commissioner indefinitely suspended his restricted salesperson license for failure to meet conditions ordered pursuant to Case No. H-5653 SAC.

2. At no time mentioned herein, has METZLER been licensed by the Bureau as a real estate broker.

3. From January 25, 2013, through October 31, 2013, METZLER offered properties for rent under the name JWP through a website, which listed METZLER's address.

4. On or about February 24, 2013, Bureau Special Investigator shopped METZLER through JWP regarding a property commonly known as 7110 Stella Lane, #14, Rocklin, California. METZLER offered to show the property to the Special Investigator.

5. In or around March, 2013, METZLER offered to sell his property management accounts to David S., a real estate broker. METZLER represented to David S. that he had 70 doors and received $4,000.00 per month in property management fees. David S. declined to make an offer to purchase METZLER's property management business.

6. In January, February and March 2013, METZLER collected rents for property owners Erica P. and Rita H.

7. In January through September of 2013, METZLER provided property management services for property rented by tenants Lisa B., John and Cindy H., Ivanna S. and Sharon L.

8. At all times mentioned herein, between January 25, 2013, and continuing up to at least through February of 2014, METZLER engaged in the business of, acted

in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(b) of the Code, including leasing or renting or offering to lease or rent, or places for rent, or soliciting listings of places for rent, or soliciting prospective tenant, or negotiating the sale, purchase or exchange of leases on real property, or on a business opportunity, or collecting rents from real property or improvement thereon, or from business opportunities, including but not limited to that certain real property commonly known as 7110 Stella Lane, #14, Rocklin, California and for properties owned by Erica P. and Rita H. and for properties rented to Lisa B., John and Cindy H., Ivanna S. and Sharon L..

CONCLUSIONS OF LAW

1. Based on the Findings of Fact contained in Paragraphs 1 through 8, above, METZLER has performed and/or participated in property management activities which require a real estate license under Section 10131(b) of the Code during a period of time when METZLER was not licensed by the Bureau in any capacity, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Now, therefore, DANIEL BRUNO METZLER IS HEREBY ORDERED to immediately Desist and Refrain from:

Performing any and all acts within the State of California for which a real estate salesperson or broker license is required, unless and until he obtains a real estate salesperson or broker license.

DATED: FEB 24 2014

REAL ESTATE COMMISSIONER

By: JEFFREY MASON
Chief Deputy Commissioner

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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 ($60,000), 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)..."