Bureau of Real Estate
P. O. Box 137007
Sacramento, CA 95813-7007

Telephone: (916) 263-8670

FILED
OCT 22 2014
BUREAU OF REAL ESTATE
By L. Frost

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To: JOSHUA REINKE and NEVADA COUNTY MINING CO.	No. H-6108 SAC FIRST AMENDED ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of JOSHUA REINKE ("REINKE") and NEVADA COUNTY MINING CO. ("MINING CO."). Based on that investigation the Commissioner has determined that REINKE and/or MINING CO. have engaged in or are engaging in acts or are attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Code Sections 10131 (a) (act as a real estate broker without a license) and 10131.4(a) (solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and sale or exchange of mineral, oil or gas property).

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Whenever acts referred to below are attributed to MINING CO. and/or REINKE, those acts are alleged to have been done by and/or through one or more agents, associates, affiliates, and/or co-conspirators, or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. MINING CO. is a company doing business in the State of California with its primary place of business located at 325 Gethsemane St., Nevada City, California 95059. At no time herein mentioned was MINING CO. licensed by the Bureau in any capacity.

2. At no time herein mentioned was REINKE licensed by the Bureau in any capacity.

3. On or about April 20, 2012, MINING CO., acting by and through REINKE, solicited and negotiated with Elsie R. on behalf of the owner of a particular mining claim, the purchase of a 180 acre gold mining claim for $9,990.00 without having first obtaining a real estate broker license in violation of Sections 10131(a) and 10131.4(a) of the Business and Professions Code ("Code").

4. When the purchase and sale closed, Elsie R. did not receive the particular claim she had bargained for during negotiations. Instead, Elsie R. received a different claim. When Elsie R. discovered that she received the wrong claim and asked her for money back, MINING CO. failed to reimburse Elsie R. her $9,990.00.

CONCLUSIONS OF LAW

5. Based upon the Findings of Fact contained in Paragraphs 1 through 4, MINING CO. and REINKE solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and sale of real property consisting of gold mining claims, which require a real estate license, during a period of time when neither MINING CO. nor REINKE were licensed by the Bureau in any capacity, thus violating Sections 10131 and 10131.4(a) of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore, MINING CO. and REINKE, their employees, agents, official successors and assignees, ARE 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 they obtain a real estate salesperson or broker license.

DATED: OCTOBER 29, 2014

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)."

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CONCLUSIONS OF LAW

5. Based upon the Findings of Fact contained in Paragraphs 1 through 4, MINING CO. and REINKE solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and sale of real property consisting of gold mining claims, which require a real estate license, during a period of time when neither MINING CO. nor REINKE were licensed by the Bureau in any capacity, thus violating Sections 10131 and 10131.4(a) of the Code.

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DATED: OCTOBER 20, 2014

REAL ESTATE COMMISSIONER

By: JEFFREY MASON
Chief Deputy Commissioner

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