BUREAU OF REAL ESTATE
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FILED

APR 16 2014

BUREAU OF REAL ESTATE

By K. Contreras

BEFORE THE

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To:	NO. H-6116 SAC
SHELLEY LYNN SCHMIDT.	ORDER TO DESIST AND REFRAIN (B & P Code Section 10086)

The Real Estate Commissioner ("the Commissioner") of the California Bureau of Real Estate ("the Bureau") caused an investigation to be made of the activities of SHELLEY LYNN SCHMIDT ("Respondent"). Based on that investigation, the Commissioner has determined that Respondent has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of Sections 10130 (real estate license requirement) and 10137 (unlawful employment and/or acceptance of compensation) of the California Business and Professions Code ("Code"). 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 all times relevant, SHELLEY LYNN SCHMIDT ("SCHMIDT") was licensed and/or had license rights by the Bureau as a real estate salesperson under the Real Estate

Law, Part 1 of Division 4 of the Code, and was employed under the corporate real estate broker license of ARROWHEAD HOUSING, INC., a California Corporation ("ARROWHEAD"). SCHMIDT's real estate salesperson license expired as of February 22, 2012.

2. At all times relevant, ARROWHEAD was licensed and/or had license rights by the Bureau as a corporate real estate broker.

3. At all times relevant, JOSEPH MOHAMED, JR., was licensed and/or had license rights by the Bureau as a real estate broker, and was licensed by the Bureau as the designated broker/officer of ARROWHEAD.

4. At no time has LODI PROPERTY MANAGEMENT LLC, individually and/or doing business as "Lodi Property Management" ("LPM"), been licensed by the Bureau to conduct real estate activity in the State of California. LPM is owned by ARROWHEAD.

5. On or about March 20, 2012, SCHMIDT, while in the employ and representing ARROWHEAD, doing business as LPM, entered into a Property Management Agreement between LPM and property owners Kevin F., and Jennica F., for the management of Kevin F.'s and Jennica F.'s real property located at 429 North Church Street, Lodi, California. At the time, SCHMIDT's real estate salesperson license was expired.

6. The acts of SCHMIDT as set forth above were done with the knowledge and approval of ARROWHEAD and MOHAMED.

CONCLUSIONS OF LAW

Based on the Findings of Fact contained in Paragraphs 1 through 6, above, SCHMIDT performed real estate activities for which a license is required and was employed by and accepted compensation from someone other than her employing broker for activities related to real estate transactions in violation of Sections 10130 and 10137 of the Code.

DESIST AND REFRAIN ORDER

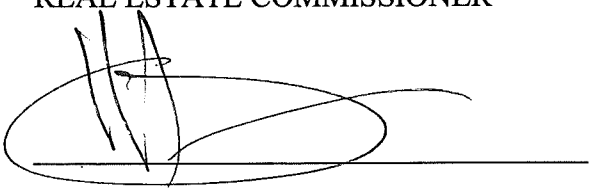
Based on the Findings of Fact and Conclusions of Law stated herein, SHELLEY LYNN SCHMIDT, whether doing business under her own name, or any other name or fictitious name, IS HEREBY ORDERED to immediately desist and refrain from:

(1) performing real estate activities for which a license is required; and

(2) working in the employ of or accepting compensation from anyone other than your employing broker for any activity related to real estate transactions in the State of California.

DATED: MAR 25 2014

REAL ESTATE COMMISSIONER



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) … ."

cc: Shelley Lynn Schmidt
572 Sandstone Court
Woodbridge, CA 95258

ATTY JWB/kc