FILED

DEPARTMENT OF REAL ESTATE
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

July 15, 2011

DEPARTMENT OF REAL ESTATE

By P. Jones

RECEIVED
Department of Real Estate

JUL 20 2011

Enforcement - Oakland

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	
RMD SERVICES I, LLC, and RYAN NATHAN	NO. H-11172 SF
	ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (hereinafter "Commissioner") of the California Department of Real Estate (hereinafter "Department") caused an investigation to be made of the activities of RMD SERVICES I, LLC (hereinafter "RMD"), and RYAN NATHAN (hereinafter "NATHAN"). Based on that investigation, the Commissioner has determined that RMD and NATHAN have engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (hereinafter "the Code") and/or Title 10, Chapter 6, California Code of Regulations (hereinafter "the Regulations"), 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 were RMD and NATHAN licensed by the Department in any capacity.

2. During the period of time set forth below, RMD and NATHAN, 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.

3. Within the last three years, NATHAN, who was acting on behalf RMD, 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 1784-1786 9th Street, Oakland, 1620 17th Street, Oakland, 886 McElroy Street, Oakland, 1254 98th Avenue, Oakland, 9429 Peach Street, Oakland, and 7832 Ney Avenue, Oakland, California, owned by Rosenau Investments Inc.

4. Within the last three years, RMD, 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 Menlo Hotel located at 344 13th Street, Oakland, California, and 1830 Fruitvale Blvd., Oakland, California.

CONCLUSIONS OF LAW

5. Based on the findings of fact contained in Paragraphs 1 through 5, RMD and NATHAN 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 RMD and NATHAN 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, you, RMD and NATHAN, 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: 7/6/11

BARBARA J. BIGBY
Acting Real Estate 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)."