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FILED

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BUREAU OF REAL ESTATE

By

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To: AMADOR VALLEY PROPERTY MANAGEMENT COMPANY, MANUEL NORMAN MARTIN, and DEANNA MARIE MARTIN, Respondents.	NO. H-11646 SF 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 AMADOR VALLEY PROPERTY MANAGEMENT COMPANY, MANUEL NORMAN MARTIN, and DEANNA MARIE MARTIN (herein collectively "Respondents"). Based on that investigation, the Commissioner has determined that Respondents have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code") including acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning of Code Section 10131(b) (property management services). Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under the authority of Code Section 10086.

FINDINGS OF FACT

1. AMADOR VALLEY PROPERTY MANAGEMENT COMPANY ("AVPMC") is not licensed by the Bureau and has no license rights as a corporate real estate broker, has had no designated broker officer since on or about December 5, 2004, and is therefore not entitled to engage in any activity requiring a real estate license.

2. MANUEL NORMAN MARTIN ("MANUEL") is licensed by the Bureau and/or has license rights as a real estate salesperson. However, since December 5, 2004, MANUEL has had no employing real estate broker, and therefore is not entitled to engage in any activity requiring a real estate broker license. MANUEL is the sole owner of AVPMC.

2. DEANNA MARIE MARTIN ("DEANNA") is licensed by the Bureau and/or has license rights as a real estate salesperson. However, since December 5, 2004, DEANNA has had no employing real estate broker, and therefore is not entitled to engage in any activity requiring a real estate broker license.

3. Since December 5, 2004, and continuing to the present, Respondents negotiated to do one or more of the following acts for another or others, for or in expectation of compensation within the State of California: lease or rent or offer to lease or rent; place for rent; solicit listings of places for rent; solicit for prospective tenants; negotiate the sale, purchase or exchange of leases on real property, or on a business opportunity; collect rents from real property, or improvements thereon, or from business opportunities, in violation of Code Sections 10130 (broker license required), in conjunction with Code Section 10131(b) (property management activities).

4. In connection with the activities described in paragraph 3, above, as of October 21, 2010, Respondents solicited prospective tenants, offered to rent and place for rent, and advertised for rent the following residential dwellings consisting of four units or less, for or in expectation of compensation, including but not limited to:

Property	Rental Price and Security Deposit
11403 Winding Trail	$2,100/month, with $2,850 security deposit
1530 La Prada Ct.	$1,995/month, with $3,000 security deposit
2925 Sombrero Cir.	$2,500/month, with $3,000 security deposit

CONCLUSIONS OF LAW

Based on the Findings of Fact contained in paragraphs 1 through 4, above, Respondents performed property management activities which require a real estate broker license within the meaning of Code Sections 10130 and 10131(b) during a period of time when Respondents were not entitled to engage in any activity requiring a real estate broker license, in that AVPMC had no license rights as a corporate real estate broker and had no designated broker officer, MANUEL was not licensed as a broker by the Bureau and had no broker affiliation, and DEANNA was not licensed as a broker by the Bureau and had no broker affiliation.

DESIST AND REFRAIN ORDER

BASED UPON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW STATED HEREIN, AVPMC, MANUEL, and DEANNA 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, and in particular, immediately desist and refrain from providing or participating in property management services for others for compensation, including but not limited to accepting trust funds from others, soliciting prospective tenants and property owners, and advertising properties for rent, unless and until AVPMC obtains a corporate real estate broker license and designated officer broker license by the Bureau; and/or either MANUEL and/or DEANNA obtains a real estate broker license issued by the Bureau.

DATED: JAN 22 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) . . ."