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*2/2/11*

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, California 90013  
4 Telephone: (213) 576-6982

**FILED**

AUG 17 2011

DEPARTMENT OF REAL ESTATE  
BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 To:	)	No. H-37449 LA
	)	
12 DIAMOND PROPERTIES;	)	<u>ORDER TO DESIST</u>
13 HENRIETTA BAILEY; and	)	<u>AND REFRAIN</u>
14 MARIA RIOS	)	
	)	(B&P Code Section 10086)

15

16 The Commissioner ("Commissioner") of the California

17 Department of Real Estate caused an investigation to be made of

18 the activities of DIAMOND PROPERTIES, HENRIETTA BAILEY

19 ("BAILEY"), and MARIA RIOS ("RIOS"), and has determined that

20 each of them engaged in or is engaging in acts or practices

21 constituting violations of the California Business and

22 Professions Code including engaging in the business of a prepaid

23 rental listing service in the State of California within the

24 meaning of California Business and Professions Code Section

25 10167.2 (unlawful to engage in prepaid rental listing service

26 unless licensed in that capacity or a real estate broker).

27 Based on the findings of that investigation, as set forth below,

1 the Commissioner hereby issues the following Findings of Fact  
2 and Desist and Refrain Order pursuant to California Business and  
3 Professions Code Section 10086.

4  
5 FINDINGS OF FACT

6 1. At no time herein mentioned have DIAMOND  
7 PROPERTIES, BAILEY, AND RIOS been licensed by the Department of  
8 Real Estate in any capacity.

9 2. Whenever acts referred to below are attributed to  
10 DIAMOND PROPERTIES, those acts are alleged to have been done by  
11 DIAMOND PROPERTIES, acting by itself, or by and/or through one  
12 or more founders, directors, employees, agents, associates,  
13 affiliates, and/or co-conspirators, including, but not limited  
14 to BAILEY, RIOS, and using the names DIAMOND PROPERTIES, or any  
15 fictitious name unknown at this time.

16 3. BAILEY is the founder and director of DIAMOND  
17 PROPERTIES. RIOS is an employee and/or agent of DIAMOND  
18 PROPERTIES.

19 4. DIAMOND PROPERTIES supplied prospective tenants  
20 with listings of residential real property for tenancy (by  
21 publication or otherwise) pursuant to an arrangement under which  
22 the prospective tenants were required to pay a fee in advance  
23 of, or contemporaneously with, the supplying of the listings.

24 5. Said prospective tenants includes, but were not  
25 necessarily limited to, Felicia R. and Deborah B.

26 a. On or about January 3, 2008, Felicia R. paid an  
27 advance fee of \$350.00 to DIAMOND PROPERTIES for a listing of





1 (a) Immediately desist and refrain from engaging in  
2 business as a prepaid rental listing service, individually and  
3 under any fictitious business name, unless and until DIAMOND  
4 PROPERTIES, HENRIETTA BAILEY, and MARIA RIOS obtain the required  
5 license from the Department of Real Estate and are in compliance  
6 with California Business and Professions Code Section 10167.2.

7  
8 DATED: August 11, 2011.

9  
10 BARBARA J. BIGBY  
Acting Real Estate Commissioner

11  
12   
13 By WILLIAM E. MORAN  
Assistant Commissioner, Enforcement

14  
15 **Notice:** California Business and Professions Code Section 10139  
16 provides that "Any person acting as a real estate broker or real  
17 estate salesperson without a license or who advertises using  
18 words indicating that he or she is a real estate broker without  
19 being so licensed shall be guilty of a public offense punishable  
20 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)."

21  
22 cc: DIAMOND PROPERTIES  
275 East Market Street  
23 Long Beach, CA 90805

24 HENRIETTA BAILEY  
275 East Market Street  
25 Long Beach, CA 90805

26 MARIA RIOS  
275 East Market Street  
27 Long Beach, CA 90805