Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982

FILED

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DEPARTMENT OF REAL ESTATE
BY: C.2

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To: RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT.	NO. H-38221 LA ORDER TO DESIST AND REFRAIN

The Commissioner ("Commissioner") of the Department of Real Estate ("Department") of the State of California caused an investigation to be made of the activities of RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT. Based on that investigation the Commissioner has determined that RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT have engaged in, are engaging in acts or 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 Business and Professions Code Sections 10131(b) (advertising, soliciting borrowers for, and offering to negotiate loans or perform loan modification services for borrowers in connection with loans secured by liens on real property) and 10131.2 (collecting advance fees in connection with those services).

In addition, based on that investigation, the Commissioner has determined that RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT have engaged in or are engaging in acts or are attempting to engage in practices constituting violations of the California Business and Professions Code ("Code"). Based on the findings of that investigation, set forth below, 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.

Code Section 10132 defines a real estate salesperson as a person who, for compensation or in expectation of compensation, is employed by a licensed real estate broker to do one or more of the acts set forth in Sections 10131, 10131.1, 10131.2, 10131.3, 10131.4, and 10131.6. Code Section 10131 defines a real estate broker as a person who: (b) leases or rents or offers to lease for rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or negotiates the sale, purchase or exchanges of leases on real property, or on a business opportunity, or collects rents from real property, or improvements thereon, or from business opportunities.

FINDINGS OF FACT

1. RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT are not now and have never been licensed by the Department as real estate brokers.

2. From May 3, 2002, through the present, RAYMOND HAMILTON GARRA II ("GARRA") has been licensed by the Department as a real estate salesperson, license no. 01337521.

3. At no time mentioned herein, has TERAGAR PROPERTY MANAGEMENT ever been licensed by the Department in any capacity.

4. During a period of time from approximately, August 7, 2006, through the present, GARRA, individually and while doing business as TERAGAR PROPERTY MANAGEMENT, has engaged in the business of, acted in the capacity of, advertised or

assumed to act as a real estate broker in the State of California, within the meaning of Code Section 10131(b). GARRA's activities included, but are not limited to, the 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 exchanges of leases on real property, or on a business opportunity, collect rents from real property, or improvements thereon, or from business opportunities, for others, including but not limited to, Marie D. and Don F.

5. GARRA and TERAGAR PROPERTY MANAGEMENT's acts as described in Paragraph 4, above, are acts requiring a real estate broker license under the provisions of Code Section 10131(b).

6. GARRA and TERAGAR PROPERTY MANAGEMENT violated Code Section 10130 by engaging in the activities described in Paragraph 4, above, without first obtaining a real estate broker license from the Department.

CONCLUSIONS OF LAW

Based on the information contained in Paragraphs 1 through 6, above, RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Department or acting as a salesperson under the employment of a licensed real estate broker.

DESIST AND REFRAIN ORDER

NOW, THEREFORE RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT, ARE ORDERED TO DESIST AND REFRAIN from performing any and all acts within the State of California for which a real estate broker license is required, individually and under any fictitious name unless and until RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT obtain a real estate broker license from the Department including a license to do business under a fictitious name.

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DATED: June 5, 2012

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

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: Raymond Hamilton Garra II
Teragar Property Management
82361 Crosby Dr.
Indio, CA 92201