

1 Department of Real Estate
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FILED

MAR 19 2013

DEPARTMENT OF REAL ESTATE
BY: CS

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 To:) No. H-38761 LA
12)
13 MARK YOUNG.) ORDER TO DESIST
14) AND REFRAIN
15) (B&P Code Section 10086)
16)

17 The Commissioner ("Commissioner") of the California Department of Real Estate
18 ("Department") caused an investigation to be made of the activities of MARK YOUNG
19 ("Respondent"). Based on that investigation the Commissioner has determined that Respondent
20 has engaged in or is engaging in acts or attempting to engage in the business of, acting in the
21 capacity of, and/or advertising or assuming to act as a real estate broker in the State of California
22 within the meaning of Business and Professions Code Section 10131(b) (soliciting listings of
23 places for rent, negotiate the exchanges of leases on real property, and collecting rents from real
24 property).

25 In addition, based on that investigation, the Commissioner has determined that
26 Respondent has engaged in or is engaging in acts or is attempting to engage practices
27 constituting violations of the California Business and Professions Code ("Code"). Based on the
28 findings of that investigation, set forth below, the Commissioner hereby issues the following

1 Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of
2 Section 10086 of the Code.

3 FINDINGS OF FACT

4 1. At no time mentioned herein has Respondent ever been licensed by the
5 Department in any capacity.

6 2. Cathy Grace Grimmer ("Grimmer") is currently licensed by the Department as
7 a real estate broker, License ID 00642267. Grimmer is licensed to do business as C G Young &
8 Associates. Respondent is married to Grimmer.

9 3. Code Section 10131 defines a real estate broker as a person who: (b) leases or
10 rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits
11 for prospective tenants, or negotiates the sale, purchase or exchanges of leases on real property,
12 or on a business opportunity, or collects rents from real property, or improvements thereon, or
13 from business opportunities.

14 4. Within the three year period prior to the filing of this Order to Desist and
15 Refrain, Respondent, while acting as an agent, director, independent contractor, or employee of
16 C G Young & Associates, solicited and offered to perform property management services for
17 others including but not limited to Lavadias D., Larry P., and Shannon L. Respondent also
18 signed written property management and/or rental agreements to provide property management
19 services on behalf of C G Young & Associates.

20 5. Although unlicensed, Respondent is a signatory on C G Young & Associates'
21 bank account (Bank account no. xxx-xxxxxx744-1, Chase) which was used to handle trust funds
22 belonging to others.

23 6. Although unlicensed and not covered by a fidelity bond, Respondent was
24 allowed to use Grimmer's signature stamp to make withdrawals from C G Young & Associates'
25 bank account and trust account (Bank account no. xxx-xxxxxxx649-7, Chase).

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1 CONCLUSIONS OF LAW

2 7. Based on the information contained in Paragraphs 1 through 6, above, MARK
3 YOUNG violated Code Section 10130 by engaging in activities requiring a real estate license
4 without first obtaining a broker license from the Department or a salesperson license under the
5 supervision and employment of a licensed broker.

6 DESIST AND REFRAIN ORDER

7 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
8 herein, IT IS HEREBY ORDERED THAT MARK YOUNG, whether doing business in his own
9 name or any other fictitious business name, immediately desist and refrain from performing any
10 acts within the State of California for which a real estate broker license is required, unless he is
11 so licensed.

12 DATED: 2/27/2013

13
14 REAL ESTATE COMMISSIONER

15 
16
17 WAYNE S. BELL

18 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
19 real estate broker or real estate salesperson without a license or who advertises using words
20 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
21 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
22 imprisonment in the county jail for a term not to exceed six months, or by both fine and
23 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
24 (\$60,000)."

25 cc: Mark Young
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