Bureau of Real Estate
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FILED

FEB 28 2014

BUREAU OF REAL ESTATE

By

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To:	No. H-39339 LA
SHIRLEY RODRIGUEZ, dba Desert Sky Winds Rental Management	ORDER TO DESIST AND REFRAIN
	(B&P Code Section 10086)

The Real Estate Commissioner of the State of California ("Commissioner") has caused an investigation to be made of the activities of SHIRLEY RODRIGUEZ, dba Desert Sky Winds Rental Management. Based on that investigation, the Commissioner has determined that SHIRLEY RODRIGUEZ dba Desert Sky Winds Rental Management has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code"), including acting in the capacity of, advertising and/or assuming to act as a real estate broker in the State of California within the meaning of Code Section 10131(b) (leasing or renting, or offering to lease or rent, soliciting prospective tenants, and collecting rents on behalf of others in expectation of compensation.) Based on that 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.

Whenever acts referred to below are attributed to SHIRLEY RODRIGUEZ and/or to Desert Sky Winds Rental Management, those acts are alleged to have been done by that individual or entity acting by themselves, using their own names, or one or more fictitious business names, or by and/or through one or more officers, employees, or agents, including but not limited to the individuals herein named.

FINDINGS OF FACT

Individuals and Entities

1. SHIRLEY RODRIGUEZ ("RODRIGUEZ"), is not presently, and has never been licensed by the Bureau of Real Estate ("Bureau") as a real estate salesperson or real estate broker.

2. At all times relevant, RODRIGUEZ used the business name Desert Sky Winds Renal Management. Desert Sky Winds Rental Management is not licensed by the Bureau in any capacity, as a real estate broker or as the registered fictitious business name of a real estate broker.

3. Beginning on or before April 10, 2011 and continuing through the present time RODRIGUEZ, doing business as Desert Sky Winds Rental Management, performed property management activities for owners of rental property for a fee.

4. The property management activities RODRIGUEZ performed included acting on behalf of the owners of rental properties, negotiating leases with tenants, collecting rents, making disbursements of rents and maintaining property in exchange for a monthly fee.

CONCLUSIONS OF LAW

1. The collection of rents, solicitation and negotiation of leases and management of rental property on behalf of property owners for a fee are acts for which a real estate license is required, as set forth in Business and Professions Code Section 10131(b).

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2. As described in the Findings of Fact set forth above, RODRIGUEZ, doing business as Desert Sky Winds Rental Management, performed property management services which require a real estate license during a period of time when RODRIGUEZ was not licensed by the Bureau in any capacity.

3. RODRIGUEZ's property management activities were and are in violation of Business and Professions Code Section 10130.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein:

IT IS HEREBY ORDERED that SHIRLEY RODRIGUEZ, doing business as Desert Sky Winds Rental Management, whether doing business under her own name, or any other name, or any fictitious name immediately desist and refrain from engaging in property management activities for a fee, individually and under any fictitious business name, unless and until she obtains the required license from the Bureau.

DATED: FEB 24 2014.

REAL ESTATE COMMISSIONER

By: JEFFREY MASON
Chief Deputy Commissioner