Bureau of Real Estate
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Los Angeles, California 90013

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FILED

JUL 10 2015

BUREAU OF REAL ESTATE

By

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To:	)	No. H-39909 LA
	)	
CHEHAB ELAWAR, individually, and doing business as Above and Beyond Real Estate Investment, BRICIA ELAWAR, and MIRELLA MONTES	)	ORDER TO DESIST AND REFRAIN B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of CHEHAB ELAWAR ("ELAWAR"), individually, and doing business as Above and Beyond Real Estate Investment, BRICIA ELAWAR ("BRICIA") and MIRELLA MONTES ("MONTES"), and has determined that each has engaged in or is engaging in acts or practices constituting violations of the California Business and Professions Code ("Code") including engaging in the business of, acting in the capacity of, advertising, or assuming to act, as real estate brokers in the State of California within the meaning of Code Section 10131(b) (leasing or renting or offering to lease or to rent or soliciting for prospective tenants or collecting rents from real property or improvements thereon). Based on the findings of that investigation, as set forth below, the Commissioner hereby issues

the following Findings of Fact and Desist and Refrain Order pursuant to Section 10086 of the Code.

FINDINGS OF FACT

1. At no time have ELAWAR, BRICIA and MONTES been licensed by the Bureau in any capacity.

2. From in or around October, 2009, to the present time ELAWAR, BRICIA and MONTES engaged in the business of and/or acted in the capacity of property managers, offering to perform and performing the rental of the real property and collection of rents and security deposits for real property on behalf of others for compensation or in expectation of compensation.

3. The property management activities described in Paragraph 2, above, were performed using the unlicensed fictitious business name "Above and Beyond Real Estate Investment."

4. BRICIA and MONTES solicited for prospective tenants, negotiated leases on real property, signed property management and tenants' agreements as agents for the property management business, collected rents for real property and made disbursements of trust funds.

CONCLUSION OF LAW

5. Based on the information contained in Paragraphs 1 through 4, above, ELAWAR, BRICIA and MONTES performed and/or participated in real property management activities, including renting or offering to rent real property and collecting rental payments thereon, activities requiring a real estate broker license under the provisions of Code Section 10131(b), during a period of time when none of them were licensed by the Bureau as a real estate broker, nor employed as a real estate salesperson by a broker on whose behalf the

activities were performed, all in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSION OF LAW stated herein, CHEHAB ELAWAR, individually, and doing business as Above and Beyond Real Estate Investment, BRICIA ELAWAR and MIRELLA MONTES 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.

DATED: July 6, 2015.

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)."

cc: Above and Beyond Real Estate Investment
Chehab Elawar
Bricia Elawar
Mirella Montes
Maria Suarez
Sacto.