

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4
5 Telephone: (916) 227-0789
6
7

FILED

AUG 18 2008

DEPARTMENT OF REAL ESTATE

By *K. Zin*

8 . BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 TO:)
13) NO. H-3852 SD
14 TM ASSOCIATES, INC., a)
15 a California Corporation)
16 and TONY RAYMAND TROXEL) ORDER TO DESIST AND REFRAIN
17) (B&P Code Section 10086)
18)

16 The Real Estate Commissioner of the State of
17 California has caused an investigation to be conducted and is of
18 the opinion that TM ASSOCIATES, INC. (herein "TMA"), a
19 California corporation, and TONY RAYMAND TROXEL, (herein
20 "TROXEL"), as the designated corporate officer of TMA, have
21 engaged in activities requiring a corporate real estate broker
22 license under Section 10131(a) of the California Business and
23 Professions Code (hereafter "the Code"), while the corporate
24 status of TMA has been suspended, in violation of Section
25 2742(c) of Chapter 6, Title 10, California Code of Regulations
26 (hereinafter "the Regulations") in conjunction with Section
27 10177(d) of the Code.

2 Effective approximately February 1, 2006 and
3 continuing through the present, the corporate powers, rights and
4 privileges of TMA were suspended by the California Franchise Tax
5 Board pursuant to the provisions of the California Revenue and
6 Taxation Code and TMA's legal standing with the California
7 Office of the Secretary of State was "suspended". At no time
8 herein mentioned was TMA entitled to conduct business in the
9 State of California as a corporate real estate broker.

11 Between approximately February 1, 2006 and the
12 present, TMA engaged in the business of, acted in the capacity
13 of, advertised, or assumed to act as a real estate broker within
14 the State of California within the meaning of Section 10131(a)
15 of the Code, including the operation and conduct of a real
16 estate resale brokerage with the public wherein, on behalf of
17 others, for compensation or in expectation of compensation, TMA
18 sold or offered to sell, bought or offered to buy, solicited
19 prospective sellers or purchases of, solicited or obtained
20 listings of, and/or negotiated the purchase or sale of real
21 property pursuant to Section 10131(a), including but not limited
22 to the following real estate purchase/sale transactions:

23 ///

24 ///

25 ///

26 ///

27 ///

<u>Principal/Client</u>	<u>Deposit Received</u>	<u>Deposit</u>
	<u>by Respondents</u>	
Antonio Diaz	January 17, 2007	\$15,000
Alan Peller	February 13, 2007	\$50,000
Howard House	April 14, 2007	\$5,000
Lynda Coleman	June 16, 2007	\$7,000
Kevin McCoy	June 25, 2007	\$3,000

3

In acting as described above, TMA and TROXEL have violated Section 2742(c) of the Regulations in conjunction with Section 10177(d) of the Code.

NOW, THEREFORE, YOU, TM ASSOCIATES, INC., a California corporation, and YOU, TONY RAYMAND TROXEL, YOUR EMPLOYEES, AGENTS, OFFICIAL SUCCESSORS AND ASSIGNS, 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 on behalf of or in the name of TM ASSOCIATES, INC., unless and until TM ASSOCIATES, INC. is in good legal standing with the Office of the Secretary of State and the Franchise Tax Board.

DATED: 8-13-08

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

cc: TONY RAYMAND TROXEL
TM ASSOCIATES, INC.
7708 Regents Road, Suite 1
San Diego, CA 92122