

2. BRYAM CELAYA and DENISE MARIE CELAYA (hereinafter referred to as Respondents), were licensed under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code). BRYAM CELAYA's license expired on December 20, 2010. DENISE MARIE CELAYA's license expired on March 12, 2011. The Department retains jurisdiction pursuant to Code Section 10103.

3. Respondent BRYAM CELAYA was licensed by the Department of Real Estate as a real estate salesperson from September 9, 1998, through December 20, 2006. Respondent was licensed as a real estate broker on December 21, 2006.

4. Respondent DENISE MARIE CELAYA was licensed as a real estate salesperson from June 21, 2005 through March 12, 2007. Respondent was licensed as a real estate broker on March 13, 2007.

5. On or about October 14, 2006 for or in expectation of compensation, Respondent BRYAM CELAYA solicited owners Brandon and Elizabeth Spiegel to lease or rent the property located at 19501 Highridge Way, Trabuco Canyon, California. Such activity requires a real estate broker license pursuant to Code Section 10131(b). Respondent violated Code Section 10130 by not having the required broker license.

6. From on or about October 27, 2006 through July 31, 2007 the property was rented by Tiffany L. Wilson ("Wilson").

7. During this time, Respondents BRYAM CELAYA and DENISE MARIE CELAYA collected payments from the renter Wilson for monthly rent. Such conduct requires a real estate broker license per Code Section 10131(b). Respondents violated Code Section 10130 by not being licensed as a real estate broker during part of the time of the transaction.

8. Respondent BRYAM CELAYA violated Code Section 10145(a) in that after he obtained his broker license he failed to deposit all funds collected from the renter into a real estate broker trust account.

9. Respondent BRYAM CELAYA violated Code Section 10145 and Regulations 2831, 2831.1, and 2831.2, Title 10, California Code of Regulations in that after he obtained his broker license he failed to keep and maintain the required books and records.

10. On or about July 31, 2007 for or in expectation of compensation, Respondent BRYAM CELAYA dba Bryse Realty, Inc. solicited and negotiated the lease of the property located at 19501 Highridge Way, Trabuco Canyon, California to renter Elizabeth Fitzpatrick-Hill ("Fitzpatrick-Hill") for a term beginning on August 7, 2007 through August 31, 2008.

11. During this time, Respondent DENISE MARIE CELAYA collected payments from the renter Fitzpatrick-Hill for monthly rent. Such conduct requires a real estate broker license per Code Section 10131(b).

12. Respondent BRYAM CELAYA violated Code Section 10145(a) in that he failed to deposit all funds collected from the renter into a real estate broker trust account.

13. Respondent BRYAM CELAYA violated Code Section 10145 and Regulations 2831, 2831.1, and 2831.2, Title 10, California Code of Regulations in that he failed to keep and maintain the required books and records.

14. Respondent BRYAM CELAYA violated Code Section 10148 by failing to maintain copies of all documents executed by him or obtained by him while acting as a real estate broker in this matter.

DETERMINATION OF ISSUES

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Cause for disciplinary action against Respondent BRYAM CELAYA exists pursuant to Business and Professions Code Sections 10177(f) and 10177(j), and Sections 10177(g) and 10177(d) for violation of Code Sections 10130 and 10145 and Regulations 2831, 2831.1, and 2831.2.

Cause for disciplinary action against Respondent DENISE MARIE CELAYA exists pursuant to Code Sections 10177(f) and 10177(i), and Sections 10177(g) and 10177(d) for violation of Code Section 10130.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

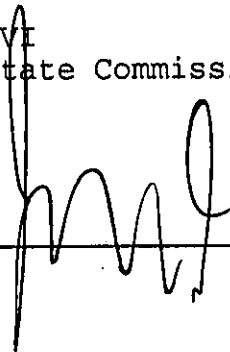
ORDER

All licenses and license rights of Respondents BRYAM CELAYA and DENISE MARIE CELAYA under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on JUN 30 2011

DATED: 4-16-2011

JEFF DAVIS
Real Estate Commissioner



1 2. BRYAM CELAYA and DENISE MARIE CELAYA (hereinafter
2 referred to as "Respondents") are presently licensed and/or have
3 license rights under the Real Estate Law (Part 1 of Division 4 of
4 the Business and Professions Code, hereinafter Code).

5 3. Respondent BRYAM CELAYA was licensed by the
6 Department of Real Estate of the State of California as a real
7 estate salesperson from September 9, 1998 through December 20,
8 2006. Respondent was licensed as a real estate broker on
9 December 21, 2006.

10 4. Respondent DENISE MARIE CELAYA was licensed as a
11 real estate salesperson from June 21, 2005 through March 12,
12 2007. Respondent was licensed as a real estate broker on March
13 13, 2007.

14 PROPERTY LOCATED AT 19501 HIGHRIDGE WAY,
15 TRABUCO CANYON, CALIFORNIA

16 5. On or about October 14, 2006 for or in expectation
17 of compensation, Respondent BRYAM CELAYA solicited owners Brandon
18 and Elizabeth Spiegel to lease or rent the property. Such
19 activity requires a real estate broker license pursuant to Code
20 Section 10131(b). Respondent violated Code Section 10130 by not
21 having the required broker license.

22 6. From on or about October 27, 2006 through July 31,
23 2007 the property was rented by Tiffany L. Wilson.

24 7. During this time, Respondents BRYAM CELAYA and
25 DENISE MARIE CELAYA violated Code Section 10145(c) by collecting
26 payments from the renter Wilson for monthly rent, a security
27 deposit, key and pet and failing to turn the funds over to their

1 employing broker. Such conduct requires a real estate broker
2 license per Code Section 10131(b). Respondents violated Code
3 Section 10130 by not being licensed as a real estate broker
4 during part of the time of the transaction.

5 8. Respondent BRYAM CELAYA violated Code Section
6 10145(a) in that after he obtained his broker license he failed
7 to deposit all funds collected from the renter into a real estate
8 broker trust account.

9 9. Respondent BRYAM CELAYA violated Code Section 10145
10 and Regulations 2831, 2831.1, and 2831.2, Title 10, California
11 Code of Regulations in that after he obtained his broker license
12 he failed to keep and maintain the required books and records.

13 10. On or about July 31, 2007 for or in expectation of
14 compensation, Respondent BRYAM CELAYA dba Bryse Realty, Inc.
15 solicited and negotiated the lease of the property to renters
16 Elizabeth Fitzpatrick-Hill and Deandre Hill for a term beginning
17 on August 7, 2007 through August 31, 2008.

18 11. During this time, Respondent DENISE MARIE CELAYA
19 violated Code Section 10145(c) by collecting payments from the
20 renters for monthly rent, a security deposit, key and pet and
21 failing to turn the funds over to her employing broker.

22 12. Respondent BRYAM CELAYA violated Code Section
23 10145(a) in that he failed to deposit all funds collected from
24 the renters into a real estate broker trust account.

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1 13. Respondent BRYAM CELAYA violated Code Section 10145
2 and Regulations 2831, 2831.1, and 2831.2, Title 10, California
3 Code of Regulations in that he failed to keep and maintain the
4 required books and records.

5 14. Respondent BRYAM CELAYA violated Code Section 10148
6 by failing to maintain copies of all documents executed by him or
7 obtained by him while acting as a real estate broker in this
8 matter.

9 15. The conduct of Respondents BRYAM CELAYA and DENISE
10 MARIE CELAYA, as alleged above, subjects their real estate
11 licenses and license rights to suspension or revocation pursuant
12 to Sections 10177(f) and 10177(j) of the Code, and Sections
13 10177(g) and 10177(d) for violation of Code Sections 10130 and
14 10145 and Regulations 2831, 2831.1, 2831.2.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and license rights of Respondents
5 BRYAM CELAYA and DENISE MARIE CELAYA under the Real Estate Law
6 (Part 1 of Division 4 of the Business and Professions Code) and
7 for such other and further relief as may be proper under other
8 applicable provisions of law.

9 Dated at Los Angeles, California

10 this 14 day of September, 2009.

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13 ROBIN L. TRUJILLO
14 Deputy Real Estate Commissioner

15 cc: Bryam Celaya
16 Denise Marie Celaya
17 Robin L. Trujillo
18 Sacto.
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