

1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

APR 07 2010

DEPARTMENT OF REAL ESTATE

By *L. West*

6 BEFORE THE DEPARTMENT OF REAL ESTATE

7 STATE OF CALIFORNIA

8 * * *

9 To:)
10) NO. H-2471 FR
11 DENISE CARLENE WATERS,)
12 Individually, and doing business as) ORDER TO DESIST AND REFRAIN
13 WEST COAST MANAGEMENT) (B&P Code Section 10086)
14)

15 The Commissioner ("Commissioner") of the California Department of Real Estate
16 ("Department") caused an investigation to be made of the activities of DENISE CARLENE
17 WATERS, individually and doing business as WEST COAST MANAGEMENT. Based on that
18 investigation, the Commissioner has determined that WATERS, individually and doing business
19 as WEST COAST MANAGEMENT has engaged in, is engaging in, or is attempting to engage
20 in, acts or practices constituting violations of the California Business and Professions Code
21 ("Code") and/or Title 10, Chapter 6, California Code of Regulations ("Regulations"), including
22 acting in the capacity of, advertising or assuming to act as a real estate broker in the State of
23 California within the meaning of Section 10131(b) (representing clients in the capacity of a rental
24 property manager) of the Code. Furthermore, based on the investigation, the Commissioner
25 hereby issues the following Findings of Fact and Desist and Refrain Order under the authority of
26 Section 10086 of the Code.

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1 FINDINGS OF FACT

2 1. At all times relevant herein WATERS, individually and doing business as WEST
3 COAST MANAGEMENT, was not and is not licensed by the Department of Real Estate to
4 conduct activities which require a real estate license in California.

5 2. At least during the period of time set out below, WATERS, individually and
6 doing business as WEST COAST MANAGEMENT, for or in expectation of compensation,
7 negotiated to do one or more of the following acts for another or others, for or in expectation of
8 compensation: soliciting and showing properties to prospective tenants, negotiating rental terms
9 and preparing rental agreements on behalf of clients.

10 3. On or about May 11, 2009, Michael Breen employed WATERS, individually and
11 doing business as WEST COAST MANAGEMENT, to rent, lease, operate and manage Breen's
12 residential rental property located at 615 28th Street, Bakersfield, California 93301.

13 CONCLUSIONS OF LAW

14 4. Based on the Findings of Fact contained in Paragraphs 1 through 3, above,
15 DENISE CARLENE WATERS, individually and doing business as WEST COAST
16 MANAGEMENT, has performed and/or participated in property management activities which
17 require a real estate license under Section 10131(b) of the Code during a period of time when
18 DENISE CARLENE WATERS, individually and doing business as WEST COAST
19 MANAGEMENT, was not licensed by the Department in any capacity, in violation of Section
20 10130 of the Code.

21 DESIST AND REFRAIN ORDER

22 Based upon the Findings of Fact and Conclusions of Law stated herein, you DENISE
23 CARLENE WATERS, individually and doing business as WEST COAST MANAGEMENT, are
24 ordered to immediately desist and refrain from performing any and all acts within the State of
25 California for which a real estate broker license is required, and in particular, that you are to

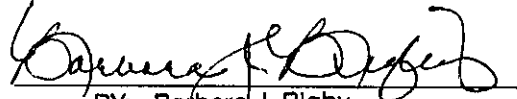
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1 immediately desist and refrain from providing or participating in property management services
2 for others and for compensation and/or the expectation of compensation.

3 DATED: 4/6/10

4 JEFF DAVI
5 Real Estate Commissioner

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7 BY: Barbara J. Bigby
8 Chief Deputy Commissioner

9 -NOTICE-

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

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18 cc: DENISE CARLENE WATERS
19 WEST COAST PROPERTY MANAGEMENT
20 144 Acoma St.
21 Bakersfield, CA 93307
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