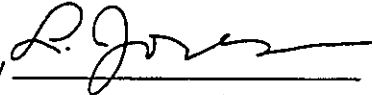


**FILED**

DEPARTMENT OF REAL ESTATE  
P. O. Box 187007  
Sacramento, CA 95818-7007  
Telephone: (916) 227-0791

December 16, 2011

DEPARTMENT OF REAL ESTATE

By 

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	)	
	)	NO. H-2699 FR
PAULA TAYLOR, and	)	
JOHN RAYMOND NEWTON	)	<u>ORDER TO DESIST AND REFRAIN</u>
	)	(B&P Code Section 10086)
	)	

The Commissioner of the California Department of Real Estate (hereinafter "Commissioner") caused an investigation to be made of the activities of PAULA TAYLOR (hereinafter "TAYLOR") and JOHN RAYMOND NEWTON (hereinafter "NEWTON"). Based upon said investigation and under the authority of Section 10086 of the California Business and Professions Code (hereinafter "the Code"), the Commissioner hereby issues the Findings of Fact and Desist and Refrain Orders listed below.

The Commissioner has determined that since at least the year 2000, TAYLOR has been and is employed by NEWTON. TAYLOR engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the Code and/or Title 10, Chapter 6, California Code of Regulations (hereinafter "Commissioner's Regulations") including acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning Section 10131(b) of the Code (property management services) and has violated Section 10130 of the Code by engaging in the business of or acting as a real estate

1 salesperson or broker, within the meaning of Sections 10130 and 10131(b) of the Code without  
2 first having obtained a real estate license from the California Department of Real Estate  
3 (hereinafter "Department").

4 In addition, based upon said investigation, the Commissioner has determined that  
5 NEWTON has since approximately the year 2000 and continuing to the present, knowingly and  
6 willfully violated Section 10137 of the Code by employing TAYLOR, an unlicensed individual,  
7 as a non-resident property manager for which a valid California real estate license is required.

8 FINDINGS OF FACT

9 1. At no time herein mentioned has TAYLOR been licensed in any capacity by  
10 the Department.

11 2. At all times relevant herein NEWTON held a real estate broker license and  
12 operated a property management business with the public wherein, on behalf of others, for  
13 compensation or in expectation of compensation, NEWTON employed unlicensed individuals,  
14 including TAYLOR, to perform acts which require a valid real estate license issued by the  
15 Department, which include, but are not limited to, the rental and offer to rent or lease real  
16 property, the solicitation of rental listings and collected rents from real property or improvements  
17 thereon, acts which require a real estate license under Section 10131(b) (real estate license  
18 required for enumerated acts) and Section 10137 (Unlawful Employment or Compensation) of  
19 the Code.

20 3. At all times relevant herein NEWTON, knowing that TAYLOR was  
21 unlicensed, employed TAYLOR as a non-resident property manager for NEWTON.

22 4. At all times relevant herein TAYLOR, on behalf of NEWTON, negotiated to  
23 do one or more of the following acts for another or others, for or in expectation of compensation:  
24 TAYLOR leased or rented or offered to lease or rent; placed for rent; solicited listings of places  
25 for rent; solicited for prospective tenants; negotiated the sale, purchased or exchanged of leases  
26 on real property, or on a business opportunity; collected rents from real property, or  
27 improvements thereon, or from business opportunities for approximately 120 units in the Madera

1 County, California area including, but not limited to, properties owned by the following:

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PROPERTY OWNER	NUMBER OF UNITS
Southwest D. C.	72 Units
Lou V.	16 Units
Tim P.	16 Units
Jaime M.	10 Units
Becky L.	6 Units

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9 CONCLUSIONS OF LAW

10 5. Based on the findings of fact contained in Paragraphs 1 through 4 above:

11 (a) TAYLOR operated a property management business with the  
12 public wherein, on behalf of NEWTON, for compensation or in expectation of compensation;

13 (b) TAYLOR leased or rented and offered to lease or rent, and placed  
14 for rent, and solicited listings of places for rent, and solicited for prospective tenants of real  
15 property or improvements thereon, and collected rents from real property or improvements  
16 thereon, acts which require a real estate broker license under Section 10131(b) (real estate  
17 license required for enumerated acts) and Section 10130 (License Required) of the Code.

18 (c) NEWTON operated a property management business with the  
19 public wherein, on behalf of others, for compensation or in expectation of compensation,  
20 NEWTON employed unlicensed individuals, including TAYLOR, to perform acts which  
21 require a valid real estate license issued by the Department, which include, but are not limited  
22 to, the rental and offer to rent or lease real property, the solicitation of rental listings and  
23 collected rents from real property or improvements thereon, acts which require a real estate  
24 license under Section 10131(b) (real estate license required for enumerated acts) and Section  
25 10137 (Unlawful Employment or Compensation) of the Code.

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