

FILED

1 BUREAU OF REAL ESTATE
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November 4, 2013

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BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 To:)
12)
13 SARAH UNGER)
14)

No. H-2839 FR

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

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16 The Real Estate Commissioner (Commissioner) of the State of California has
17 caused an investigation to be made of the activities of SARAH UNGER (UNGER), including
18 engaging in the business of, acting in the capacity of, advertising, or assuming to act as a real
19 estate broker in the State of California within the meaning of Section 10131(b) of the California
20 Business & Professions Code (the Code). Based upon the findings of that investigation, as set
21 forth below, the Commissioner has determined and is of the opinion that:

22 UNGER has violated Section 10130 of the Code by engaging in the business of
23 or acting as a real estate broker, within the meaning of Sections 10130 (act as a real estate broker
24 or salesman without a license), 10131(b) (engaging in property management activities) and
25 10137 (Accepting Compensation from Person Other Than Broker) of the Code without first
26 having obtained a real estate broker license from the California Bureau of Real Estate (Bureau).

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FINDINGS OF FACT

- 1. UNGER was licensed by the Bureau of Real Estate as a real estate salesperson until June 12, 2012, when her license expired.
- 2. At no time within the last three years was UNGER licensed by the Bureau as a real estate broker.
- 3. At all times mentioned herein, continuing up to at least October 15, 2013, UNGER engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(b) of the Code, including leasing, renting, or offering places to rent, negotiating the sale or purchase of leases of real property or collecting rents on real property for compensation or in expectation of compensation, including but not limited to real property commonly known as: 1614 Lockhart Gulch Road, Scots Valley, California (Lockhart Property).
- 4. At all times mentioned herein, continuing up to at least until August 12, 2012, UNGER accepted compensation for property management activities directly from the owner of the Lockhart Property.

CONCLUSIONS OF LAW

5. Based on the findings of fact contained in paragraphs 1 through 4, above, UNGER, among other things, solicited and/or performed services for landlords, borrowers, including, but not limited to, collecting rents and depositing the same into trust accounts, offering places to rent on behalf of landlords, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for a fee for such services. Thus, UNGER violated Sections 10130, 10131(b) and 10137 of the Code.

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