

1 BUREAU OF REAL ESTATE  
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**FILED**

FEB 18 2014

BUREAU OF REAL ESTATE

By 

8 STATE OF CALIFORNIA  
9 BUREAU OF REAL ESTATE

11 To: ) NO. H- 2868 FR  
12 BLUE STAR RESORTS, INC. )  
13 and JESUS R. ROJAS. ) ORDER TO DESIST AND REFRAIN  
14 ) (B&P Code Section 10086)

15 The Commissioner of the California Bureau of Real Estate (hereinafter  
16 "Bureau") caused an investigation to be made of the activities of BLUE STAR RESORTS, INC.  
17 ("BSRI") and JESUS R. ROJAS ("ROJAS"). Based on that investigation, the Commissioner  
18 has determined that BSRI and ROJAS have engaged in, are engaging in, or are attempting to  
19 engage in, acts or practices constituting violations of the California Business and Professions  
20 Code ("the Code") and/or Title 10, Chapter 6, California Code of Regulations ("the Regulations")  
21 including acting in the capacity of, advertising, or assuming to act as a real estate broker in the  
22 State of California within the meaning of Sections 10130 (act as a real estate broker without a  
23 license), 10131(a) (solicited prospective sellers and purchasers of, solicited and obtained listings  
24 of, and negotiated the purchase and sale of real property consisting of timeshare interests) and  
25 10085.5 (demanding advance fee) of the Code. Furthermore, based upon the investigation, the  
26 Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under  
27 the authority of Section 10086 of the Code.



1 licensed by the Bureau in any capacity for or in expectation of a compensation and claimed,  
2 demanded, charged, received, collected or contracted for an advanced fee for such services.  
3 Thus, BSRI and ROJAS violated Sections 10130, 10131(a) and 10085.5 of the Code.

4 DESIST AND REFRAIN ORDER

5 Now, therefore, you, BLUE STAR RESORTS, INC. and JESUS R. ROJAS, their  
6 employees, agents, official successors and assigns, ARE HEREBY ORDERED to immediately  
7 desist and refrain from:

- 8 (1) performing any and all acts within the State of California for which a real  
9 estate salesperson or broker license is required, unless and until they  
10 obtain a real estate salesperson or broker license; and  
11 (2) charging, demanding, contracting for or receiving advance fees, as that  
12 term is defined in Section 10026 of the code, for any of the services they  
13 offer to others, unless and until they demonstrate and provide evidence  
14 satisfactory to the Commissioner that they:  
15 (a) are properly licensed by the Department as a real estate broker;  
16 (b) have an advance fee agreement which has been submitted to the  
17 Bureau and which is in compliance with the provisions of Section  
18 2970 of the Regulations; and  
19 (c) have refunded to Higinio R. the advance fees paid by him in this  
20 matter as set out above.

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23 DATED: OCT 29 2013

REAL ESTATE COMMISSIONER

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27 **By: JEFFREY MASON**  
**Chief Deputy Commissioner**

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**- NOTICE -**

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