

return receipt requested, to Respondents' last known mailing address on file with the Bureau on November 14, 2014.

On March 10, 2015, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

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Respondent PAULA PROTINE is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (the Code) as a real estate broker. Respondent JENNIFER SANDOVAL is presently licensed and/or has license rights under the Code as a real estate salesperson.

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At all times herein mentioned, SANDOVAL was employed by PROTINE. As the employing broker, PROTINE was responsible, pursuant to Section 10132 of the Code and Section 2725 of the Regulations for the supervision of the activities of SANDOVAL for which a real estate license is required.

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At all times herein mentioned, RESPONDENTS engaged in the business of, acted in the capacity of, advertised, 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 the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation. RESPONDENTS leased or rented or offered to lease or rent, or places for rent, or solicited listings of places for rent or solicited for prospective tenants, or negotiated the sale, purchase or exchange of leases on real property, or on a business opportunity, or collected rents from tenants.

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In or around March 2011, Virginia H. hired RESPONDENTS to manage her real property commonly known as 264 N. Oak Ave. in Oakdale, California (N. Oak Property).

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On or about December 7, 2012, there was a fire in the kitchen in the N. Oak Property.

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On or about January 4, 2013, SANDAVOL signed a settlement agreement with the insurance company on behalf of the N. Oak Ave. Property tenant, Michael S. The settlement provided for the payment of \$5,548.97 to cover the repairs for the fire at the N. Oak Ave. Property.

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In or around June 2013, Virginia H. learned of the fire at the N. Oak Ave. Property. On or about June 25, 2013, Virginia H. wrote a letter to RESPONDENTS and complained that there had not yet been any repairs of the damage caused by the fire at the N. Oak Ave. Property.

On or about July 3, 2013, RESPONDENTS responded to Virginia H's letter and stated that:

- 1) The insurance payment went to the "company approved vendor";
- 2) That materials were purchased and
- 3) That the repair work was complete.

On or about March 24, 2014, SANDOVAL met with a Bureau Special Investigator and represented that:

- 1) The company approved vendor that was selected to perform the work was Joe T. and
- 2) That RESPONDENTS had paid Joe T. \$5,548.97 in cash to do the repairs to the N. Oak Ave. Property.

The representations that RESPONDENTS made in Paragraphs 9 and 10, above, were untrue and RESPONDENTS knew them to be untrue at the time and were made for the purpose of converting the insurance payment money. The true facts were:

- 1) The insurance payment went to SANDAVOL;
- 2) No materials were purchased;
- 3) The repair work had not been performed;
- 4) A "company" approved vendor had not been hired to perform the repairs;
- 5) RESPONDENTS did not pay any money to Joe T, or anyone, to perform the repair work.

DETERMINATION OF ISSUES

The acts of RESPONDENTS, described above, constitute violations of Sections 10176(a) (substantial misrepresentation), 10176(b) (false promises to induce), 10176(i) (other conduct fraud or dishonest dealing) and are grounds for the suspension or revocation of RESPONDENTS' real estate license under Sections 10176(a), 10176(b), 10176(i), 10177(d) (willful/disregard Real Estate Law) and 10177(g) (negligence/incompetence real estate licensee) of the Code.

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

ORDER

All licenses and licensing rights of Respondents PAULA PROTINE and JENNIFER SANDOVAL, 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 **APR 10 2015**.

DATED: MARCH 19, 2015.

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

1 Bureau of Real Estate
2 P. O. Box 137007
3 Sacramento, CA 95813-7007
4 Telephone: (916) 263-8670
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FILED

MAR 10 2015

BUREAU OF REAL ESTATE

By S. Black

9 BEFORE THE BUREAU OF REAL ESTATE
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation of)
12 PAULA PROTINE and JENNIFER SANDOVAL,)
13 Respondents.)

No. H-2921 FR
DEFAULT ORDER

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15 Respondents PAULA PROTINE and JENNIFER SANDOVAL, having failed to
16 file a Notices of Defense within the time required by Section 11506 of the Government Code, is
17 now in default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED March 10, 2015

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20 REAL ESTATE COMMISSIONER

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22 By: Joe M. Carrillo
23 JOE M. CARRILLO
24 Northern Area Regional Manager
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