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JAN 05 2016

1 BUREAU OF REAL ESTATE
2 1651 Exposition Boulevard
3 P. O. Box 137007
4 Sacramento, CA 95813-7007
5
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7
8 Telephone: (916) 263-8670

BUREAU OF REAL ESTATE
By S. Black

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

11 To:)
12)
13 TIMOTHY EUGENE FIELD,)
14 FIELD FINANCIAL, and)
15 KIMBRA KING.)
_____)

NO. H-2980 FR

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

16 The Real Estate Commissioner (Commissioner) of the California Bureau of Real
17 Estate (Bureau) has caused an investigation to be made of the activities of TIMOTHY
18 EUGENE FIELD (FIELD), FIELD FINANCIAL (FF), and KIMBRA KING (KING). Based
19 on that investigation, the Commissioner has determined that FIELD, FF, and KING have
20 engaged in, are engaging in or are attempting to engage in, acts or practices constituting
21 violations of the California Business and Professions Code (Code) including acting in the
22 capacity of, advertising, or assuming to act as real estate brokers in the State of California
23 within the meaning of Section 10131(b) (property management services) of the Code.
24 Furthermore, based on the investigation, the Commissioner hereby issues the following
25 Findings of Fact and Desist and Refrain Order under the authority of Section 10086 of the
26 Code.

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FINDINGS OF FACT

1. FIELD was licensed and/or had license rights issued by the Bureau as a real estate broker beginning on or about February 14, 2001, until about February 13, 2013, when his real estate broker license expired. FIELD's real estate broker license was suspended on or about August 18, 2012, and said suspension was in effect until August 18, 2015. FIELD was licensed by the Bureau as the designated officer of real estate broker corporation FF from April 8, 2002, until FF's corporate broker license expired on April 7, 2014. Therefore, at no time after August 18, 2012, did FIELD hold an active license with the Bureau.

2. FF was licensed and/or had license rights issued by the Bureau as a real estate broker corporation beginning April 8, 2002 until about April 7, 2014, when FF's license expired. Effective August 18, 2012, FF's license was placed on inactive or "no broker affiliation" status due to FF's designated officer FIELD's license suspension identified above. Therefore, at no time after August 18, 2012, did FF hold an active license with the Bureau.

3. At no time herein mentioned has KING been licensed by the Bureau in any capacity.

4. During the period of time set out below, FIELD, FF, and KING performed one or more of the following acts for another or others, for or in expectation of compensation, within the meaning of Section 10131(b) of the Code: leased or rented or offered to lease or rent or placed 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 real property, or improvements thereon, or from business opportunities.

5. Between about July 20, 2014 and August 20, 2014, FIELD, FF, and KING solicited and performed services for property owners and tenants through the Craigslist website, www.craigslist.com (Craigslist website) and at their main office location on 5100 N. Sixth Street, Ste. #105, Fresno, California. FIELD, FF, and KING, acting on behalf of property owners, advertised for rent and solicited tenants for at least five (5) residential properties on the Craigslist website, identified as follows:

<u>Property</u>	<u>Owner</u>
3565 W. Harvard	Phenesey S.
4928 N. Fruit.	Mary P.
1064 Carey	Malik S.
3645 W. Dakota	Leofrido B.
3962 N. Briarwood	Stanford B.

6. On or about August 20, 2014, KING, on behalf of FIELD and FF, solicited a Bureau Special Investigator by providing him with a rental application, telling him to check the Craigslist website for available properties offered by FF, and to choose which one to rent. KING admitted to showing properties to prospective renters.

7. Between October 15, 2014, and November 12, 2014, FIELD and FF advertised for rent and solicited tenants for at least six (6) residential properties on the Craigslist website, identified as follows:

<u>Property</u>	<u>Owner</u>
3565 W. Harvard	Phenesey S.
4928 N. Fruit.	Mary P.
4651 W. Amherst	Salvador H.
3645 W. Dakota	Leofrido B.
3268 N. Sonora	Patsy G.
487 W. Dennis	Briand & Tamiko M.

8. Between about December 2, 2014, and December 10, 2014, FIELD and FF, advertised for rent and solicited tenants for at least four (4) residential properties on the Craigslist website, identified as follows:

<u>Property</u>	<u>Owner</u>
3565 W. Harvard	Phenesey S.
4928 N. Fruit.	Mary P.
4651 W. Amherst	Salvador H.
3268 N. Sonora	Patsy G.

N. Sonora Ave.

9. Between on or about October 31, 2014, and March 10, 2015, FIELD, FF, and KING solicited, negotiated, and performed services for property owners and tenants pertaining to residential property located at 3268 N. Sonora Ave., Fresno, California (N. Sonora Ave.) owned

1 by Patsy G. Specifically, on or about October 31, 2014, property owner Patsy G. contracted with
2 FIELD and FF, through their employee KING, to manage her N. Sonora Ave. residential
3 property. According to the property management contract, FF was the broker and FIELD was the
4 agent. Additionally, FF would charge Patsy G. a monthly management fee of \$95.00 and a
5 leasing or finders fee of 30% of one full month's rent. KING sent text communications to Patsy
6 G. communicating all steps in the rental process, including that KING had placed an
7 advertisement on the Craigslist website to rent her property, that she would be showing the
8 property and had taken an application from a prospective tenant, that she had received a deposit,
9 and that FF would be charging \$1,195.00 per month rent for her property. Additionally, FIELD,
10 FF, and KING, deposited and disbursed trust funds in connection with the rental of Patsy G.'s N.
11 Sonora Ave. property between December 12, 2014, and March 10, 2015.

12 W. Swift Ave.

13 10. In or about September 2012 through at least April 2015, FIELD and FF
14 deposited and disbursed trust funds in connection with the rental of residential property on W.
15 Swift, Ave., Fresno, California for property owner Michael and Geni B. and tenants.
16 Additionally, FIELD and FF retained \$95.00 per month as a management fee.

17 W. Dennis Dr.

18 11. In or about September 2012 through at least January 2015, FIELD and FF
19 deposited and disbursed trust funds in connection with the rental and advertising for rent of
20 residential property located at 487 W. Dennis Dr., Clovis, California (W. Dennis Dr.) for
21 property owner Tamiko M. and tenants. Additionally, in November 2014, FIELD and FF, acting
22 on behalf of Tamiko M., advertised for rent and solicited tenants for the W. Dennis Dr. property
23 on the Craigslist website. Additionally, FIELD and FF retained monthly management fees of
24 approximately \$90.00 per month for rented properties, or \$25.00 per week to advertise vacant
25 properties.

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1 CONCLUSIONS OF LAW

2 16. Based on the Findings of Fact contained in Paragraphs 1 through 15, above,
3 FIELD and FF solicited, negotiated, and/or participated in property management activities which
4 require a real estate license under Sections 10130 and 10131(b) of the Code during a period of
5 time when neither FIELD nor FF were licensed by the Bureau in any capacity.

6 17. Based on the Findings of Fact contained in Paragraphs 1 through 6, and 8,
7 above, KING solicited, negotiated, and/or participated in property management activities which
8 require a real estate license under Sections 10130 and 10131(b) of the Code during a period of
9 time when KING was not licensed by the Bureau in any capacity.

10 DESIST AND REFRAIN ORDER

11 Based upon the Findings of Fact and Conclusions of Law stated herein,
12 TIMOTHY EUGENE FIELD, FIELD FINANCIAL and KIMBRA KING ARE HEREBY
13 ORDERED to immediately Desist and Refrain from performing any acts within the State of
14 California for which a real estate broker license is required, and in particular, immediately Desist
15 and Refrain from soliciting, providing or participating in property management services for
16 others for compensation or in the expectation of compensation unless an appropriate license is
17 issued by the Bureau.

18 DATED: DECEMBER 31, 2015

19
20 WAYNE S. BELL
21 REAL ESTATE COMMISSIONER

22 

23 - NOTICE -

By: JEFFREY MASON

Chief Deputy Commissioner

24 Business and Professions Code Section 10139 provides that, "Any person acting
25 as a real estate broker or real estate salesperson without a license or who advertises using words
26 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
27 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) . . ."