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FEB 10 2016
BUREAU OF REAL ESTATE
By S. Black

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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To:)
JACQUE' AND COMPANY, INC., MANUEL)
CHAVEZ, JR., ESTHELA MARTINEZ SALAS)
and)
JACQUELINE MARIE AVILES.)

No. H-2984 FR
ORDER TO DESIST AND REFRAIN
(B & P Code Section 10086)

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The Real Estate Commissioner of the State of California (Commissioner) has caused an investigation to be made of the activities of JACQUE' AND COMPANY (JAC), MANUEL CHAVEZ (CHAVEZ), ESTHELA MARTINEZ SALAS (SALAS) and JACQUELINE MARIE AVILES (AVILES), including engaging in the business of, acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning of Section 10131(b) of the California Business and Professions Code (the Code). Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that:

JAC, CHAVEZ and SALAS have violated Section 10137 of the Code by employing and/or compensating one or more unlicensed persons to act in the capacity of a real estate broker or salesperson; and AVILES has violated Section 10130 of the Code by engaging in the business of or acting as a real estate salesperson or broker, within the meaning of Section

1 10131(b) (real property management) of the Code without first having obtained a real estate
2 broker license from the California Bureau of Real Estate (Bureau). Whenever acts referred to
3 below are attributed to JAC, those acts are alleged to have been done by CHAVEZ, acting by
4 himself, or by and/or through one or more agents, associates, and/or co-conspirators, and using
5 other names including but not limited to Madison Holding Company, Inc., or fictitious names
6 unknown at this time (the related entities).

7 FINDINGS OF FACT

8 1. From and since July 22, 2014, JAC has been licensed by the Bureau as a
9 corporate estate broker.

10 2. At all times mentioned herein, CHAVEZ has been licensed by the Bureau
11 as a real estate broker.

12 3. At all times mentioned herein, SALAS has been licensed by the Bureau as
13 a real estate broker.

14 4. At no time mentioned herein was AVILES licensed by the Bureau
15 as a real estate broker or real estate salesperson.

16 5. At all times mentioned herein, between June 5, 2014, and
17 continuing up to at least January 15, 2016, JAC, CHAVEZ, SALAS and AVILES have engaged
18 in the business of, acted in the capacity of, or assumed to act as a real estate broker within the
19 State of California within the meaning of Section 10131(b) of the Code, including leasing or
20 renting or offering to lease or rent, or places for rent, or soliciting listings of places for rent, or
21 soliciting prospective tenant, or negotiating the sale, purchase or exchange of leases on real
22 property, or on a business opportunity, or collecting rents from real property or improvement
23 thereon, or from business opportunities, including but not limited to that certain real property
24 commonly known as 430 Bowman Avenue, 432 Bowman Avenue, 434 Bowman Avenue, 436
25 Bowman Avenue, 3700-41st Avenue and 3702-41st Avenue, all in Sacramento, California.

26 6. At all times mentioned herein, between June 5, 2014, and continuing up to
27 at least January 15, 2016, AVILES represented that she was a Property Manager on her business

1 cards and on the JAC website indicated that she was a Property Manager for Don Floyd Realty
2 for the previous eight (8) years.

3 7. At all times mentioned herein, between June 5, 2014, and continuing up to
4 at least January 15, 2016, JAC, CHAVEZ and SALAS employed and/or compensated AVILES
5 for performing the acts set out above which require a real estate license pursuant to Section
6 10131(b) of the Code (property management activities)

7 CONCLUSIONS OF LAW

8 1. Based on the Findings of Fact contained in Paragraphs 1 through 7, above,
9 AVILES has performed and/or participated in property management activities which require a
10 real estate license under Section 10131(b) of the Code during a period of time when neither was
11 not licensed by the Bureau in any capacity, in violation of Section 10130 of the Code.

12 2. Based on the Findings of Fact contained in Paragraphs 1 through 7, above,
13 JAC, CHAVEZ and SALAS employed and/or compensated AVILES to act in the capacity of a
14 real estate broker or salesperson in violation of Section 10137 of the Code.

15 DESIST AND REFRAIN ORDER

16 Now, therefore, JACQUELINE MARIE AVILES IS HEREBY ORDERED to
17 immediately Desist and Refrain from:

18 1. Performing any and all acts within the State of California for which a real
19 estate salesperson or broker license is required, unless and until she obtains a real estate
20 salesperson or broker license.

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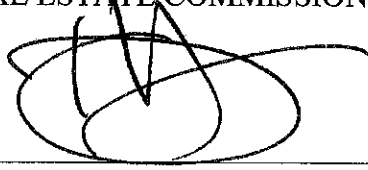
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Now, therefore, JACQUE AND COMPANY, INC., MANUEL CHAVEZ AND ESTHELA MARTINEZ SALAS ARE HEREBY ORDERED to immediately Desist and Refrain from:

- 1. Employing and/or compensating any person for performing any acts which require a real estate license within the State of California unless and until that person has
- 2. obtained from the Bureau a real estate salesperson or real estate broker license.

DATED: February 5, 2016

WAYNE S. BELL
REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

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)..."