

JUN 23 2017

BUREAU OF REAL ESTATE
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BUREAU OF REAL ESTATE
By H. Diaz

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

To: HEATHER LEA MICKERSON) NO. H-3116 FR
)
) ORDER TO DESIST AND REFRAIN
) (B&P Code Section 10086)

The Real Estate Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") has caused an investigation to be made of the activities of HEATHER LEA MICKERSON ("MICKERSON"). Based upon that investigation, the Commissioner has determined that MICKERSON has engaged in, is engaging in, or is attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate broker in the State of California within the meaning of Sections 10131(b) (property management services) of the Business and Professions Code ("Code"). Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. MICKERSON was licensed as a real estate salesperson from September 1985 to February 1993. Effective February 17, 1993, in Bureau Case No. H-6772 SF, the Bureau revoked MICKERSON's salesperson license and granted MICKERSON a restricted real estate salesperson license after it was found that she had been convicted of petty theft in violation of Sections 490 and 10177(b) of the Code. Effective May 19, 1994, the Bureau granted

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1 reinstatement of MICKERSON's plenary real estate salesperson license. Effective March 20,
2 2015, in Bureau Case No. H-2886 FR, the Bureau revoked MICKERSON's real estate
3 salesperson license for, among other reasons, violating Sections 10176(i) (fraud or dishonest
4 dealing) and 10176(e) (commingling her own money with the money of others) of the Code.

5 2. During the period of time set out below, after MICKERSON's license was
6 revoked on March 20, 2015, MICKERSON, operating under the fictitious business name
7 Showcase Property Management, performed one or more of the following acts for another or
8 others, for or in expectation of compensation, within the meaning of Section 10131(b) of the
9 Code: leased or rented or offered to lease or rent or placed for rent or solicited listings of places
10 for rent or solicited for prospective tenants or negotiated the sale, purchase or exchange of leases
11 on real property, or on a business opportunity or collected rents from real property, or
12 improvements thereon, or from business opportunities.

13 3. A review of Showcase Property Management's website at
14 www.showcasepropertymanagement.net on or about June 8, 2015, revealed that MICKERSON
15 continued to advertise herself as "Founder & CEO, Property Manager" after her real estate
16 salesperson license had been revoked on March 20, 2015.

17 4. On or about July 21, 2015 and continuing intermittently until August 3, 2015,
18 MICKERSON, who was acting on behalf of Showcase Property Management, solicited Special
19 Investigator Brian Fergus ("SI Fergus") to perform property management services on his behalf.
20 On or about July 21, 2015, SI Fergus, using an alias, requested property management
21 information from MICKERSON through the Showcase Property Management website.
22 On July 28, 2015, SI Fergus met with MICKERSON at a Starbucks restaurant in Santa Cruz,
23 California. At said meeting, MICKERSON provided SI Fergus with a folder containing
24 documents related to property management including, but not limited to, a Residential Lease or
25 Month-to-Month Rental Agreement, Property Management Agreement, and a list entitled
26 Residential Property Management Services. The folder also contained a business card bearing

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1 MICKERSON's name and listing her as "Property Manager" for Showcase Property
2 Management. On August 3, 2015, SI Fergus sent MICKERSON an e-mail requesting references
3 regarding the property management services she provided. In response, MICKERSON sent an e-
4 mail to SI Fergus with the contact information for Luke R.

5 5. On or about August 8, 2015, MICKERSON solicited, negotiated, and/or
6 performed services for property owners including, but not limited to: Robert G.; Bob G.; Cole
7 W.; John H.; Phil J.; Kyle M.; Whitney P.; and Kathline R. after her real estate salesperson
8 license had been revoked in March 2015.

9 CONCLUSIONS OF LAW

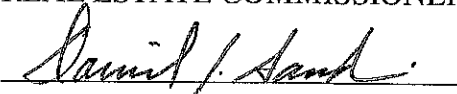
10 6. Based on the Findings of Fact contained above in Paragraphs 1 through 5,
11 MICKERSON solicited, negotiated, and/or participated in property management activities which
12 require a real estate license under Code Sections 10130 and 10131(b) during a period of time
13 when MICKERSON was not licensed by the Bureau in any capacity.

14 DESIST AND REFRAIN ORDER

15 Based upon the Findings of Fact and Conclusions of Law stated herein,
16 HEATHER LEA MICKERSON IS HEREBY ORDERED to immediately Desist and Refrain
17 from performing any acts within the State of California for which a real estate broker license is
18 required, and in particular, to immediately Desist and Refrain from soliciting, providing or
19 participating in property management services for others for compensation or in the expectation
20 of compensation unless an appropriate license is issued by the Bureau.

21 DATED: June 21, 2017

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23 WAYNE S. BELL
REAL ESTATE COMMISSIONER

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25 By: DANIEL J. SANDRI
26 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) ...”