

NOV 2 0 2017

BUREAU OF REAL ESTATE

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Telephone:

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KENNETH J. CEPELLO

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BEFORE THE BUREAU OF REAL ESTATE STATE OF CALIFORNIA

No. H-3136 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 KENNETH J. CEPELLO (CEPELLO), 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:

CEPELLO 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 10131(b) (real property management) of the Code without first having obtained a real estate license from the California Bureau of Real Estate (Bureau).

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1 **FINDINGS OF FACT** 2 1. At no time mentioned herein was CEPELLO licensed by the Bureau as a real 3 estate broker or real estate salesperson. 4 2. At all times mentioned herein, CEPELLO was employed by Refolio Inc 5 (REFOLIO), a real estate broker corporation. 6 3. At all times mentioned herein, beginning on or about February 15, 2016, and 7 continuing up to at least March 5, 2016, CEPELLO engaged in the business of, acted in the 8 capacity of, or assumed to act as a real estate broker within the State of California within the 9 meaning of Section 10131(b) of the Code, for or in expectation of compensation, by negotiating 10 the sale, purchase or exchanges of leases on real property. 11 4. From February 15, 2016, continuing until at least March 5, 2016, 12 CEPELLO, as a representative of REFOLIO, negotiated the terms of the lease on real property 13 commonly known as: 1572 Munras Street, Soledad, California. 14 **CONCLUSIONS OF LAW** 15 Based on the Findings of Fact contained in Paragraphs 1 through 4, above, 16 CEPELLO has performed and/or participated in property management activities which require a 17 real estate license under Section 10131(b) of the Code during a period of time when CEPELLO 18 was not licensed by the Bureau in any capacity, in violation of Section 10130 of the Code. 19 /// 20 /// 21 /// 22 /// 23 /// 24 ///

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DESIST AND REFRAIN ORDER

Now, therefore, KENNETH J. CEPELLO IS HEREBY ORDERED to immediately Desist and Refrain from:

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

DATED: 11/15/17

WAYNE S. BELL REAL ESTATE COMMISSIONER

By: DANIEL J. SANDRI 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)..."