

1 DEPARTMENT OF REAL ESTATE
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FILED

JUL 29 2019

DEPARTMENT OF REAL ESTATE

By X. Krapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 To:)	
)	
12 K4 MANAGEMENT, A CALIFORNIA)	NO. H-3248 FR
13 CORPORATION, JOHN EDWARD KASHIAN)	
14 and JENNIFER SCHUH)	
)	<u>ORDER TO DESIST</u>
)	<u>AND REFRAIN</u>
)	(B & P Code Section 10086)

16 The Real Estate Commissioner of the State of California (Commissioner) has
17 caused an investigation to be made of the activities of K4 MANAGEMENT A CALIFORNIA
18 CORPORATION (K4), JOHN EDWARD KASHIAN (KASHIAN) and JENNIFER SCHUH
19 (SCHUH), including engaging in the business of, acting in the capacity of, advertising, or
20 assuming to act as a real estate broker in the State of California within the meaning of Section
21 10131(b) of the California Business and Professions Code (the Code). Based upon the findings
22 of that investigation, as set forth below, the Commissioner has determined and is of the opinion
23 that:

24 K4 and KASHIAN have violated Section 10137 of the Code by employing and/or
25 compensating one or more unlicensed persons to act in the capacity of a real estate broker or
26 salesperson; and SCHUH, has violated Section 10130 of the Code by engaging in the business of
27 or acting as a real estate salesperson or broker, within the meaning of Section 10131(b) (real

1 property management) of the Code without first having obtained a real estate license from the
2 California Department of Real Estate (Department). Whenever acts referred to below are
3 attributed to K4, those acts are alleged to have been done by K4, acting by herself, or by and/or
4 through one or more agents, associates, and/or co-conspirators, and using other names or
5 fictitious names unknown at this time (the related entities).

6 FINDINGS OF FACT

7 1. At all times mentioned herein, K4 has been licensed by the Department as
8 a corporate real estate broker.

9 2. At all times mentioned herein, KASHIAN has been licensed by the
10 Department as a real estate broker.

11 3. At no time mentioned herein was SCHUH licensed by the Department as
12 a real estate salesperson or real estate broker.

13 4. At all times mentioned herein, between on at least April 18, 2017 and
14 continuing up to at least May 17, 2019, SCHUH engaged in the business of, acted in the capacity
15 of, or assumed to act as a real estate broker within the State of California within the meaning of
16 Section 10131(b) of the Code, including leasing or renting or offering to lease or rent, or places
17 for rent, or soliciting listings of places for rent, or soliciting prospective tenant, or negotiating the
18 sale, purchase or exchange of leases on real property, or on a business opportunity, or collecting
19 rents from real property or improvement thereon, or from business opportunities, including but
20 not limited to that certain real property commonly known as 1843 E. Fir, Fresno, California and
21 Hanford Market Place, Highways 198 and 43, Hanford, California. and 1076 Civic Center Drive,
22 Rohnert Park, California.

23 5. From approximately April 2017, through at least May 17, 2019, K4 and
24 KASHIAN employed and/or compensated SCHUH for performing the acts set out above which
25 require a real estate license pursuant to Section 10131(b) of the Code. (property management
26 activities).

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1 CONCLUSIONS OF LAW

2 1. Based on the Findings of Fact contained in Paragraphs 1 through 4, above,
3 SCHUH has performed and/or participated in property management activities which require a
4 real estate license under Section 10131(b) of the Code during a period of time when SCHUH was
5 not licensed by the Department in any capacity, in violation of Section 10130 of the Code.

6 2. Based on the Findings of Fact contained in Paragraphs 1 through 4, above,
7 K4 and KASHIAN employed and/or compensated SCHUH to act in the capacity of a real estate
8 broker or salesperson in violation of Section 10137 of the Code.

9 DESIST AND REFRAIN ORDER

10 Now, therefore, JENNIFER SHUH IS HEREBY ORDERED to immediately
11 Desist and Refrain from performing any and all acts within the State of California for which a
12 real estate salesperson or broker license is required, unless and until she obtains a real estate
13 salesperson or broker license.

14 Now, therefore, K4 MANAGEMENT A CALIFORNIA CORPORATION AND
15 JOHN EDWARD KASHIAN ARE HEREBY ORDERED to immediately Desist and Refrain
16 from employing and/or compensating any person for performing any acts which require a real
17 estate license within the State of California unless and until that person has obtained from the
18 Department a real estate salesperson or real estate broker license.

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20 DATED: June 13, 2019

21
22 DANIEL J. SANDRI
23 ACTING REAL ESTATE COMMISSIONER

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NOTICE

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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)...”