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1 DEPARTMENT OF REAL ESTATE
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FILED

OCT 08 2021

DEPARTMENT OF REAL ESTATE
By B. Nicholas

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-3382 FR
12 TRANSWORLD BUSINESS ADVISORS;)	<u>ORDER TO</u>
13 TRANSWORLD BUSINESS ADVISORS)	<u>DESIST AND REFRAIN</u>
14 OF TRI-VALLEY, and)	
15 TRI-VALLEY BUSINESS ADVISORS, LLC)	(B&P Code Section 10086)

16 The Real Estate Commissioner ("Commissioner") of the California Department
 17 of Real Estate ("Department") has caused an investigation to be made of the activities of
 18 TRANSWORLD BUSINESS ADVISORS, TRANSWORLD BUSINESS ADVISORS OF TRI-
 19 VALLEY, and TRI-VALLEY BUSINESS ADVISORS, LLC (collectively referred to herein as
 20 "Respondents"). Based on that investigation, the Commissioner has determined that
 21 Respondents have engaged in, are engaging in, or are attempting to engage in, acts or practices
 22 constituting violations of the California Business and Professions Code ("Code") and/or Title
 23 10, Chapter 6, California Code of Regulations ("the Regulations") including acting in the
 24 capacity of, and/or advertising or assuming to act as real estate brokers in the State of California
 25 within the meaning of Sections 10130 (act as a real estate broker without a license), and
 26 10131(a) (soliciting prospective purchasers of real property and negotiating the purchase and
 27 sale of business opportunities) of the Code. Furthermore, based on the investigation, the

1 Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under
2 the authority of Section 10086 of the Code.

3 FINDINGS OF FACT

4 1. At no time herein mentioned has TRANSWORLD BUSINESS ADVISORS
5 been licensed by the Department in any capacity.

6 2. At no time herein mentioned has TRANSWORLD BUSINESS ADVISORS
7 OF TRI-VALLEY been licensed by the Department in any capacity.

8 3. At no time herein mentioned has TRI-VALLEY BUSINESS ADVISORS,
9 LLC been licensed by the Department in any capacity.

10 4. At all times herein mentioned, TRANSWORLD BUSINESS ADVISORS was
11 and is a business brokerage company headquartered in West Palm Beach, Florida, specializing in
12 the solicitation, negotiation and sale of businesses, mergers and acquisitions, and franchises.
13 TRANSWORLD BUSINESS ADVISORS operates throughout the United States, including
14 California, through its subsidiaries and/or partnership entities. TRANSWORLD BUSINESS
15 ADVISORS subsidiaries and/or partnership entities operating in California were/are known as
16 TRANSWORLD BUSINESS ADVISORS, TRANSWORLD BUSINESS ADVISORS OF TRI-
17 VALLEY, Tri-Valley Business Advisors, and TRI-VALLEY BUSINESS ADVISORS, LLC,
18 and at all times relevant to this Desist and Refrain Order were located at 602 Lyell Drive, Suite
19 A, Modesto, California 95356.

20 5. At all times mentioned herein, Respondents engaged in the business of, acted
21 in the capacity of, advertised, or assumed to act as real estate licensees, in the State of California,
22 within the meaning of Section 10131(a) of the Code, including the operation and conduct of a
23 real estate brokerage with the public, wherein, on behalf of others, for compensation or in
24 expectation of compensation, Respondents sold and offered to sell, bought and offered to buy,
25 solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated
26 the purchase and sale of business opportunities.

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1 6. In or about November 13, 2019, in connection with the business brokerage
2 activities described above in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS and
3 TRANSWORLD BUSINESS ADVISORS OF TRI-VALLEY were identified on a Corporate
4 Resolution form, that was executed by the sellers, as being eligible to receive a fee in the event
5 of the purchase and sale of the business known as "CTS Reporting Inc." located in Fresno,
6 California.

7 7. On or about February 26, 2020, in connection with the business brokerage
8 activities described above in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS was
9 identified in the Buyer's and Seller's Closing Agreements as representing the buyer and seller in
10 the purchase and sale of a business known as "Don's Lifestyle Fitness Inc." located in Stockton,
11 California.

12 8. On or about January 10, 2020, in connection with the business brokerage
13 activities described in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS was
14 identified in the Asset Purchase Agreement as representing both the buyers and the seller in the
15 purchase and sale of the business known as "Magic Cutz" located in Tracy, California. In the
16 same transaction, TRANSWORLD BUSINESS ADVISORS was identified in the Buyer's
17 Closing Agreements as representing the buyer in the transaction.

18 9. On or about February 21, 2020, in connection with the business brokerage
19 activities described above in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS was
20 identified in the Buyer's and Seller's Closing Agreements as representing the buyer and seller in
21 the purchase and sale of a business known as "Hair Studio Salon and Barber Shop" located in
22 Stockton, California.

23 10. On or about March 1, 2020, in connection with the business brokerage
24 activities described above in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS was
25 identified in the Buyer's and Seller's Closing Agreements as representing the buyer and seller in
26 the purchase and sale of a business known as "Sadie's Salon" located in Manteca, California.

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1 11. On or about June 8, 2020, in connection with the business brokerage
2 activities described above in Paragraphs 4 and 5, TRANSWORLD BUSINESS ADVISORS was
3 identified in the Buyer's and Seller's Closing Agreements as representing the buyer and seller in
4 the purchase and sale of a business known as "Hischier Landscaping" located in Escalon,
5 California. Additionally, the Asset Purchase Agreement identified TRANSWORLD BUSINESS
6 ADVISORS, LLC as the agent for both the buyer and seller in the transaction.

7 CONCLUSIONS OF LAW

8 Based on the Findings of Fact contained above in Paragraphs 1 through 11,
9 Respondents performed and/or participated in the purchase, sale or exchange of business
10 opportunities and solicited and obtained listings of business opportunities for compensation or in
11 expectation of compensation for which a real estate license is required under Section 10131(a) of
12 the Code, during a period of time when Respondents were not licensed by the Department as real
13 estate brokers in violation of Section 10130 of the Code.

14 DESIST AND REFRAIN ORDER

15 Based upon the Findings of Fact and Conclusions of Law stated herein,
16 TRANSWORLD BUSINESS ADVISORS, TRANSWORLD BUSINESS ADVISORS OF TRI-
17 VALLEY, and TRI-VALLEY BUSINESS ADVISORS, LLC ARE HEREBY ORDERED to
18 immediately Desist and Refrain from performing any acts within the State of California for
19 which a real estate broker license is required, and in particular, to immediately Desist and
20 Refrain from soliciting and obtaining listings of, and/or negotiating the purchase and sale of
21 business opportunities for others for compensation, or in the expectation of compensation, unless
22 an appropriate license is issued by the Department.

23 DATED: 9.21, 2021

24 REAL ESTATE COMMISSIONER

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26 DOUGLAS R. McCAULEY

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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) ..."