

1 Department of Real Estate  
2 P. O. Box 187000  
3 Sacramento, CA 95818-7000  
4  
5 Telephone: (916) 227-0789  
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FILED  
MAY - 3 2005

DEPARTMENT OF REAL ESTATE

*[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

|                            |   |                                    |
|----------------------------|---|------------------------------------|
| 11 TO:                     | ) | No. H-4275 SAC                     |
|                            | ) |                                    |
| 12 DAVID PAUL POAGUE,      | ) | <u>ORDER TO DESIST AND REFRAIN</u> |
| 13 individually and doing  | ) | (B&P Code Section 10086)           |
| 14 business as Help-U-Sell | ) |                                    |
| 15 Bay Area                | ) |                                    |

16 The Real Estate Commissioner of the State of  
17 California (hereinafter "Commissioner") has determined from  
18 evidence available to the California Department of Real Estate  
19 (hereinafter "the Department") that you, DAVID PAUL POAGUE,  
20 individually and doing business as Help-You-Sell Bay Area  
21 (herein "you"), while engaged in activities which require a real  
22 estate broker license under the provisions of Section 10131(a)  
23 of the California Business and Professions Code (herein "the  
24 Code"), violated Section 10159.5 of the Code and Section 2731 of  
25 Chapter 6, Title 10, California Code of Regulations (herein "the  
26 Regulations").

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I

At all times mentioned herein you were and now are licensed by the Department as a real estate broker.

II

At all times herein mentioned, you engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(a) of the Code, including the operation and conduct of a real estate resale brokerage with the public wherein, on behalf of another or others, for compensation or in expectation of compensation, you sold and offered to sell, bought and offered to buy, solicited prospective sellers and purchasers of, and negotiated the purchase and sale of real property.

III

At all times mentioned herein since on or about December 1, 2003, in the course of the activities described in Paragraph II, above, you, acting by and through your agents and employees, used the fictitious business name "Help-U-Sell Bay Area" without first holding a license from the Department bearing such fictitious business name in violation of Section 10159.5 of the Code and Section 2731 of the Regulations.

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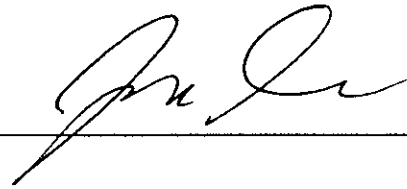
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1 NOW, THEREFORE, YOU, DAVID PAUL POAGUE, AND YOUR  
2 AGENTS AND EMPLOYEES, ARE HEREBY ORDERED TO DESIST AND REFRAIN  
3 from performing any activities for which a real estate license  
4 is required unless you comply with Section 10159.5 of the Code  
5 and Section 2731 of the Regulations.

6 DATED: April 28, 2005

7 JEFF DAVI  
8 Real Estate Commissioner

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11  
12 CC: DAVID PAUL POAGUE  
13 429 REDCLIFF DRIVE #100  
14 REDDING, CA 96002  
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