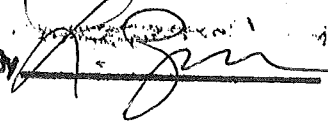


1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
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FILED
FEB 29 2012

DEPARTMENT OF REAL ESTATE

By 

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

11 To:) NO. H-4306 SD
12)
13 TIMESHARERENTORSELL COM, LLC) ORDER TO DESIST AND REFRAIN
14 and VACATION TREE, INC.) (B&P Code Section 10086)
15)

16 The Commissioner of the California Department of Real Estate (hereinafter
17 "Department") caused an investigation to be made of the activities of TIMESHARERENTORSELL
18 COM, LLC using the name www.bestresortrentalandsale.com or other names unknown at this
19 time (hereinafter "TRS") and VACATION TREE, INC. also know as Vacation Tree, LLC
20 (hereinafter "VACATION TREE"). Based on that investigation, the Commissioner has
21 determined that TRS and VACATION TREE have engaged in, are engaging in, or are attempting
22 to engage in, acts or practices constituting violations of the California Business and Professions
23 Code (hereinafter "Code") and/or Title 10, Chapter 6, California Code of Regulations (hereinafter
24 "Regulations") including acting in the capacity of, advertising, or assuming to act as a real estate
25 broker in the State of California within the meaning of Code Sections 10130 (act as a real estate
26 broker without a license), 10131(a) (solicited prospective sellers and purchasers of, solicited and
27 obtained listings of, and negotiated the purchase and sale of real property consisting of timeshare

1 interests) and 10085.5 (demanding advance fee). Furthermore, based upon the investigation, the
2 Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order under
3 the authority of Code Section 10086.

4 Whenever acts referred to below are attributed to TRS and/or VACATION TREE,
5 those acts are alleged to have been done by TRS and VACATION TREE, or by and/or through
6 one or more agents, associates, affiliates, and/or co-conspirators, and/or using other names or
7 fictitious names unknown at this time.

8 FINDINGS OF FACT

9 1. TRS is a company existing under the laws of the State of California and with
10 its primary place of business located at 1685 E. Main Street, Suite 201, El Cajon, California,
11 92021. At no time herein mentioned was TRS licensed by the Department in any capacity.

12 2. VACATION TREE is a company existing under the laws of the State of
13 California with its primary place of business located at 1685 E. Main Street, Suite 201, El Cajon,
14 California, 92021. At no time herein mentioned was VACATION TREE licensed by the
15 Department in any capacity.

16 3. During the periods of time set forth below, TRS and VACATION TREE,
17 individually and/or their officers, directors, employees, and/or agents employed by or associated
18 with them solicited to do one or more of the following acts for another or others, for or in
19 expectation of compensation: solicited prospective sellers and purchasers of, solicited and
20 obtained listings of, and negotiated the purchase and sale of real property consisting of timeshare
21 interests under Section 10131(a) of the Business and Professions Code.

22 4. On approximately June 3, 2009, TRS, acting by and through Molly Baccam
23 and/or other agents, associates, affiliates, and/or co-conspirators solicited Richard C. in order to
24 negotiate the sale of his timeshare interest, and claiming, demanding, charging, receiving,
25 collecting or contracting for an advanced fee for such services in the amount of \$850 without
26 having first obtained a real estate broker license in violation of Sections 10130, 10131(a) and
27 10085.5.

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DESIST AND REFRAIN ORDER

Now, therefore, TIMESHARERENTORSELL COM, LLC and VACATION TREE, INC., their employees, agents, official successors and assigns, ARE HEREBY ORDERED to immediately desist and refrain from:

- (1) performing any and all acts within the State of California for which a real estate salesperson or broker license is required, unless and until they obtain a real estate salesperson or broker license and
- (2) charging, demanding, contracting for or receiving advance fees, as that term is defined in Section 10026 of the code, for any of the services they offer to others, unless and until they demonstrate and provide evidence satisfactory to the Commissioner that they are properly licensed by the Department as a real estate broker, and that they have an advance fee agreement which has been submitted to the Department and which is in compliance with the provisions of Section 2970 of the Regulations.

DATED: 2/28/12

BARBARA J. BIGBY
Acting Real Estate 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) . . ."