

1 Bureau of Real Estate
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FILED

APR 07 2014

BUREAU OF REAL ESTATE

By 

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)
)
12 TIMOTHY PIOWATY,)
KURT HEINRICH KUENNECKE,)
13 NORTH COUNTY HOMES ON THE)
BEACH,)
14 MY LIFE AT THE BEACH.NET,)
OCEANSIDE SUNSHINE, and)
15 SUNSHINE COASTAL PROPERTIES.)
)
16)

No. H-4613 SD

ORDER TO DESIST
AND REFRAIN

(B&P Code Section 10086)

17 The Commissioner ("Commissioner") of the California Bureau of Real Estate
18 ("Bureau") caused an investigation to be made of the activities of TIMOTHY PIOWATY, KURT
19 HEINRICH KUENNECKE, NORTH COUNTY HOMES ON THE BEACH, MY LIFE AT THE
20 BEACH, OCEANSIDE SUNSHINE and SUNSHINE COASTAL PROPERTIES (collectively
21 "Respondents"). Based on that investigation the Commissioner has determined that Respondents
22 have engaged in or are engaging in acts or attempting to engage in the business of, acting in the
23 capacity of, and/or advertising or assuming to act as real estate brokers in the State of California
24 within the meaning of Business and Professions Code ("Code") Section 10131(b) (offer to lease or

1 rent, solicit listings of places to rent, solicit for prospective tenants, negotiate the sale, purchase or
2 exchange of leases on real property, or collect rents from real property).

3 In addition, based on that investigation, the Commissioner has determined that
4 Respondents have engaged in or are engaging in acts or are attempting to engage in practices
5 constituting violations of the Code and/or Title 10, California Code of Regulations (“Regulations”).
6 Based on the findings of that investigation, set forth below, the Commissioner hereby issues the
7 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority
8 of Section 10086 of the Code.

9 FINDINGS OF FACT

10 1. At no time mentioned herein have TIMOTHY PIOWATY (“PIOWATY”),
11 NORTH COUNTY HOMES ON THE BEACH, MY LIFE AT THE BEACH, OCEANSIDE
12 SUNSHINE and SUNSHINE COASTAL PROPERTIES ever been licensed by the Bureau as real
13 estate brokers.

14 1. KURT HEINREICH KUENNECKE (“KUENNECKE”) was licensed as a real
15 estate broker from February 13, 2007, through January 9, 2014. KUENNECKE’s real estate broker
16 license was revoked with the right to a restricted salesperson license pursuant to a Stipulation and
17 Agreement in Bureau Case No. H-04439 SD. On January 10, 2014, KUENNECKE was issued a
18 restricted real estate salesperson license, License No. 01136197. KUENNECKE’s restricted real
19 estate salesperson license status is in a non-working status or “NBA” meaning no broker affiliation.
20 KUENNECKE may not engage in activities that require a real estate license.

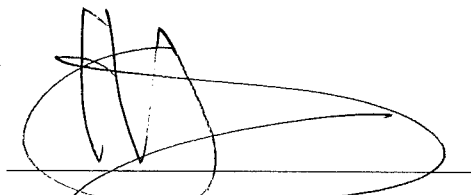
21 3. For an unknown period of time that includes the previous three years,
22 PIOWATY has represented himself to prospective tenants and real property owners, as an agent for
23 Oceanside Sales and Rentals, which is a licensed fictitious business name of real estate corporation,
24 Winchester Funding Group, Inc., License ID 01773744.

1 DESIST AND REFRAIN ORDER

2 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
3 herein, IT IS HEREBY ORDERED THAT TIMOTHY PIOWATY, KURT HEINRICH
4 KUENNECKE, NORTH COUNTY HOMES ON THE BEACH, MY LIFE AT THE BEACH,
5 OCEANSIDE SUNSHINE and SUNSHINE COASTAL PROPERTIES whether doing business in
6 their own name or any other fictitious business name, immediately desist and refrain from
7 performing any acts within the State of California for which a real estate broker license is required,
8 unless you are so licensed.

9 DATED: March 24, 2014.

10 REAL ESTATE COMMISSIONER

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13 **JEFFREY MASON**
14 **Chief Deputy Commissioner**

15 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a real
16 estate broker or real estate salesperson without a license or who advertises using words indicating
17 that he or she is a real estate broker without being so licensed shall be guilty of a public offense
18 punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the
19 county jail for a term not to exceed six months, or by both fine and imprisonment; or if a
20 corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000)."

21 cc: Timothy Piowaty, Kurt Heinrich Kuennecke, North County Homes on the Beach,
22 My Life at the Beach, Oceanside Sunshine and Sunshine Coastal Properties
23 2191 S. El Camino Real, Ste. 208G
24 Oceanside, CA 92054-6225

Timothy Piowaty, Oceanside Sunshine, and Sunshine Coastal Properties
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Kurt Heinrich Kuennecke
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