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Bureau of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

Telephone: (213) 576-6982

FILED

OCT 16 2015

BUREAU OF REAL ESTATE

By 

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

To:	)	No. H-04751 SD
	)	
ESSD, INC.; and ELISABETH TERESA	)	<u>ORDER TO DESIST</u>
ENGLISH, individually, and doing	)	<u>AND REFRAIN</u>
business as ESSD, Inc.,	)	B&P Code Section 10086)
	)	
_____	)	

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of ESSD, INC. ("ESSD") and ELISABETH TERESA ENGLISH ("ENGLISH"), individually, and doing business as ESSD, and has determined that each has engaged in or is engaging in acts or practices constituting violations of the California Business and Professions Code ("Code") including engaging in the business of, acting in the capacity of, advertising, or assuming to act, as a real estate broker in the State of California within the meaning of Code Section 10131(b) (leasing or renting or offering to lease or to rent or soliciting for prospective tenants or collecting rents from real property or improvements thereon). Based on the findings of that investigation, as set forth below, the Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order

1 pursuant to Section 10086 of the Code.

2 FINDINGS OF FACT

3 1. At no time has ESSD been licensed by the Bureau in any capacity.

4 2. ENGLISH is presently licensed and/or has license rights under the Real Estate
5 Law as a real estate salesperson.

6 3. From September 7, 2006, through August 8, 2013, ENGLISH was employed
7 under the corporate broker license of JNA Holdings Inc., which was unaware of ENGLISH's
8 property management activities as described herein. During the period August 8, 2013, to August
9 12, 2015, ENGLISH was not employed by any broker.

10 4. On or about November 14, 2011, Jeff and Ingrid V. signed a property
11 management agreement for the management of their property at 321-10th Avenue, Unit 213, San
12 Diego, California 92101 ("10th Avenue Property"). The agreement was signed by ENGLISH on
13 behalf of ESSD. Pursuant to the terms of the foregoing agreement ENGLISH and ESSD
14 collected rental payments from tenants of the 10th Avenue Property and deposited the rental
15 payments to a checking account in the name of ESSD. ENGLISH thereafter transmitted the
16 rental payments to Jeff and Ingrid V. less 10% which ENGLISH deducted for herself as a
17 property management fee. Jeff and Ingrid V. terminated ENGLISH and ESSD's services on or
18 about February 14, 2013.

19 5. In or around October, 2012, Michael W. owned a rental property located at
20 800 The Mark Lane, No. 219, San Diego, California ("Mark Property"). On or about October
21 15, 2012, Michael W. entered into a lease agreement with Wesley G. On or about October 16,
22 2012, Michael W. paid \$1,200 to ENGLISH for her services in locating Wesley G. as a tenant
23 for the Mark Property. The foregoing payment was deposited to ENGLISH's personal banking
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1 account.

2 CONCLUSION OF LAW

3 Based on the information contained in Paragraphs 1 through 5, above, EDDS and
4 ENGLISH performed and/or participated in real property management activities, including
5 renting or offering to rent real property and collecting rental payments thereon, activities
6 requiring a real estate broker license under the provisions of Code Section 10131(b), during a
7 period of time when neither of them were licensed by the Bureau as a real estate broker, nor
8 employed as a real estate salesperson by a broker on whose behalf the activities were performed,
9 all in violation of Section 10130 of the Code.

11 DESIST AND REFRAIN ORDER

12 Based on the FINDINGS OF FACT and CONCLUSION OF LAW stated herein,
13 ELISABETH TERESA ENGLISH, individually, and doing business as ESSD, INC., and ESSD,
14 INC. ARE HEREBY ORDERED to immediately desist and refrain from performing any acts
15 within the State of California for which a real estate broker license is required.

17 DATED: OCTOBER 9, 2015

19 **WAYNE S. BELL**

20 Real Estate Commissioner

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22 By: JEFFREY MASON
23 Chief Deputy Commissioner

24 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
25 real estate broker or real estate salesperson without a license or who advertises using words
26 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
27 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)."

cc: Elisabeth Teresa English
ESSD, Inc.

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