

1 DEPARTMENT OF REAL ESTATE  
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FILED

MAR 10 2011

DEPARTMENT OF REAL ESTATE

*[Signature]*

8 STATE OF CALIFORNIA  
9 DEPARTMENT OF REAL ESTATE

11 To: ) NO. H-5560 SAC  
12 )  
13 C & G MARKETING ASSOCIATES LLC ) ORDER TO DESIST AND REFRAIN  
14 and JOSE M. GOYOS. ) (B&P Code Section 10086)  
15 )

15 The Commissioner of the California Department of Real Estate (hereinafter  
16 "Department") caused an investigation to be made of the activities of C & G MARKETING  
17 ASSOCIATES LLC using the name Premier Timeshare Solution or other names unknown at  
18 this time (hereinafter "C & G") and JOSE M. GOYOS (hereinafter "GOYOS"). Based on that  
19 investigation, the Commissioner has determined that C & G and GOYOS have engaged in, are  
20 engaging in, or are attempting to engage in, acts or practices constituting violations of the  
21 California Business and Professions Code (hereinafter "Code") and/or Title 10, Chapter 6,  
22 California Code of Regulations (hereinafter "Regulations") including acting in the capacity of,  
23 advertising, or assuming to act as a real estate broker in the State of California within the  
24 meaning of Code Sections 10130 (act as a real estate broker without a license), 10131(a)  
25 (solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated  
26 the purchase and sale of real property consisting of timeshare interests) and 10085.5 (demanding  
27 advance fee). Furthermore, based upon the investigation, the Commissioner hereby issues the

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

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

8 FINDINGS OF FACT

9 1. At no time herein mentioned has C & G been licensed by the Department in  
10 any capacity.

11 2. At no time herein mentioned has GOYOS been licensed by the Department in  
12 any capacity.

13 3. As hereinafter set forth, C & G and GOYOS engaged in the business of, acted  
14 in the capacity of, or assumed to act as a real estate broker in California.

15 4. During the periods of time set forth below, C & G, acting by and through  
16 GOYOS, and/or other agents, associates, affiliates, and/or co-conspirators solicited to do one or  
17 more of the following acts for another or others, for or in expectation of compensation: solicited  
18 prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the  
19 purchase and sale of real property consisting of timeshare interests.

20 5. On approximately October 12, 2009, C & G, acting by and through GOYOS,  
21 and/or other agents, associates, affiliates, and/or co-conspirators solicited Robert and Paula S. in  
22 order to negotiate the sale of their timeshare interest located in Las Vegas, Nevada, and claiming,  
23 demanding, charging, receiving, collecting or contracting for an advanced fee for such services in  
24 the amount of \$1,800 without having first obtained a real estate broker license in violation of  
25 Sections 10130, 10131(a) and 10085.5.

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CONCLUSIONS OF LAW

6. Based upon the Findings of Fact contained in Paragraphs 1 through 5, C & G and GOYOS have solicited prospective sellers and purchasers of, solicited and obtained listings of, and negotiated the purchase and sale of real property consisting of timeshare interests which require a real estate license during a period of time when C & G and GOYOS were not licensed by the Department in any capacity for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for an advanced fee for such services. Thus, C & G and GOYOS violated Sections 10130, 10131(a) and 10085.5 of the Code.

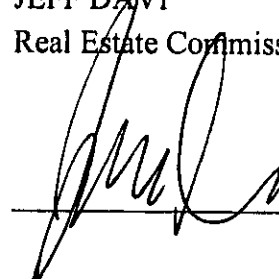
DESIST AND REFRAIN ORDER

7. Now, therefore, C & G MARKETING ASSOCIATES LLC and JOSE M. GOYOS, 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: \_\_\_\_\_

JEFF DAVI  
Real Estate Commissioner



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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) . . ."

C & G MARKETING ASSOCIATES LLC  
ATTN: Jose M. Goyos  
4400 Northcorp Parkway  
Palm Beach Gardens, FL 33410

JOSE M. GOYOS  
4400 Northcorp Parkway  
Palm Beach Gardens, FL 33410