

FILED

JAN 25 2013

Department of Real Estate

BY: *L. Jans*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	
	)	NO. H-5625 SAC
GREAT ESTATES PROPERTY	)	
MANAGEMENT, INC.,	)	
	)	
Respondent.	)	
_____	)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on December 12, 2012, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On May 12, 2011, Tricia D. Sommers, made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on June 22, 2011.

On December 12, 2012, no Notice of Defense having been filed herein by or on behalf of Respondent GREAT ESTATES PROPERTY MANAGEMENT, INC., within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2.

Respondent GREAT ESTATES is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (hereinafter "Code) as a corporate real estate broker. However, since at least April 15, 2011, GREAT ESTATES has been suspended by the California Secretary of State. GREAT ESTATES is not in good standing with the California Secretary of State and therefore may not

prosecute or defend an action and is in violation of Section 2742(c) of the Commissioner's Regulations (Corporation shall not engage in the business of a real estate broker while not in good standing with the Office of the Secretary of State).

3.

At no time herein mentioned has Heather Baker been licensed by the Department in any capacity. At all times relevant herein and since at least January 13, 2009, GREAT ESTATES was and has been the alter ego of Heather Baker.

4.

On or about January 13, 2009, GREAT ESTATES was issued a corporate real estate broker license with Adrian del Rio (real estate broker license number 01431059) as its designated broker/officer. On or about May 4, 2009, del Rio, having been denied access to the books, records, bank account records, and client files of GREAT ESTATES by Heather Baker, resigned as an officer of the corporation and filed with the Department of Real Estate (hereinafter "Department") the forms required to cancel his officer/designated broker affiliation. Since May 4, 2009, Heather Baker has operated GREAT ESTATES without a designated officer/broker as required under relevant real estate law.

5.

Since May 4, 2009, Heather Baker acting on behalf of GREAT ESTATES, negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: lease or rent or offer to lease or rent; place for rent; solicit listings of places to rent; solicit for prospective tenants; negotiate the sale, purchase or exchange of leases on real property, or on a business opportunity; collect rents from real property, or improvements thereon, or from business opportunities, including, but not limited, to the following clients:

<u>Landlord</u>	<u>Property Address</u>
Thomas S.	112 Egloff Circle, Folsom, CA
Alan G.	7226 Harbor Way, Granite Bay, CA
Roy P.	4456 Pebble Beach, Rocklin, CA

II

DETERMINATION OF ISSUES

1.

The sets forth above constitute cause for suspension or revocation of Respondent's real estate license or license rights under Sections 10130 (performing activities requiring a broker license while not licensed), 10131(b) (broker license required to conduct property management), 10157 (only person to whom license is issued may do any act specified in this chapter), 10158 (additional corporate officer must hold broker license to conduct

activities requiring a license), 10176(a) (making a substantial misrepresentation), and 10176(i) (any other conduct that constitutes fraud or dishonest dealing) of the Code all in conjunction with Section 10177(d) of the Code, and Section 2740 of the Commissioner's Regulations (designated broker/officer required for corporation to conduct activities requiring a real estate license) and Section 2742 of the Commissioner's Regulations (corporate broker shall not engage in activities requiring a real estate broker license while corporate status has been suspended by the California Secretary of State) all in conjunction with Section 10177(d) of the Code.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent GREAT ESTATES PROPERTY MANAGEMENT, INC., under the provisions of Part I of Division 4 of the Business and Professions Code, are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 14 2013

DATED: 1/17/13

Real Estate Commissioner



FILED

Department of Real Estate
P. O. Box 187000
Sacramento, CA 95818-7000

Telephone: (916) 227-0789

December 12, 2012

DEPARTMENT OF REAL ESTATE

By  _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of)

GREAT ESTATES PROPERTY)
MANAGEMENT, INC.,)

Respondent.)
_____)

NO. H-5625 SAC

DEFAULT ORDER

Respondent, GREAT ESTATES PROPERTY MANAGEMENT, INC., having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED DECEMBER 12, 2012

Real Estate Commissioner

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