

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007

Telephone: (916) 227-0789 (Main)

**FILED**  
NOV 14 2012

DEPARTMENT OF REAL ESTATE  
By R. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

To: )  
TANIA WACHE. )

NO. H-5912 SAC  
ORDER TO DESIST AND REFRAIN  
(B&P Code Section 10086)

The Commissioner ("the Commissioner") of the California Department of Real Estate ("the Department") caused an investigation to be made of the activities of TANIA WACHE ("Respondent"). Based on that investigation, the Commissioner has determined that Respondent has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code of Regulations ("Regulations"), including acting in the capacity of, advertising or assuming to act as a real estate broker in the State of California within the meaning of Sections 10130 (broker license requirement), 10131(a) (selling/buying real property) and 10131(b) of the Code (property management/collection of rent) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

1 FINDINGS OF FACT

2 1. At no time has Respondent been licensed by the Department to conduct  
3 real estate activity in the State of California.

4 2. At all times relevant, John Anthony Alcantar ("Alcantar") was and now  
5 is licensed by the Department as a real estate salesperson.

6 3. At all times relevant, Lee Ann Brady ("Brady") was and now is licensed  
7 by the Department as a real estate broker and conducted real estate activity using the fictitious  
8 business name "24/7 Real Estate" ("24/7").

9 4. At all times relevant, Kirk Adam Tainsh ("Tainsh") was and now is  
10 licensed by the Department as a real estate salesperson and was the branch manager of 24/7.

11 5. On or about August 5, 2009, Respondent drafted a lease agreement with  
12 an option to buy between herself and property owner Bruce M. for the real property located at  
13 5011 Dapple Grey, Redding, California. According to that agreement, Alcantar was listed as  
14 being authorized to receive the acceptance of any offer on behalf of Respondent. In addition,  
15 Brady, doing business as 24/7, was listed as the cooperating broker to the transaction with  
16 Alcantar identified as the agent.

17 6. On or about August 5, 2009, Respondent a residential lease agreement  
18 was drafted between herself and Bruce M. for the Dapple Grey property. That lease agreement  
19 expressly stated that Respondent was not authorized to sublet the property without Bruce M.'s  
20 prior written consent. Throughout the document, 24/7 was listed as maintaining the agency  
21 relationship for both Respondent and Alcantar.

22 7. On or about November 14, 2009, Respondent drafted a residential lease  
23 agreement for the Dapple Grey property between Respondent as landlord and Aaron, Alice and  
24 Kimberly H. as tenants, covering the rental period of November 14, 2009, through November  
25 30, 2012. Respondent collected all rent money from Aaron, Alice and Kimberly H. and paid it  
26 to Bruce H. herself. On or about June 1, 2010, Aaron, Alice and Kimberly H. vacated the  
27 Dapple Grey property.



1 selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers  
2 of, soliciting or obtaining lists of, or negotiating the purchase, sale or exchange of real property;  
3 and on behalf of others, for compensation or in expectation of compensation, leased or rented  
4 and offered to lease or rent, and solicited for prospective tenants of real property or  
5 improvements thereon, and collected rents from real property or improvements thereon in  
6 violation of Sections 10130, 10131(a) and 10131(b) of the Code.

7 DESIST AND REFRAIN ORDER

8 Based on the Findings of Fact and Conclusions of Law stated herein, TANIA  
9 WACHE, whether doing business under your own name, or any other name or fictitious  
10 name, IS HEREBY ORDERED to immediately desist and refrain from performing any acts  
11 within the State of California that require a real estate broker license unless and until you are  
12 properly licensed by the Department as a real estate broker.

13 DATED: 11/14/2012

14 REAL ESTATE COMMISSIONER

15 

16  
17 By WAYNE S. BELL  
18 Chief Counsel

19 **Notice:** Business and Professions Code Section 10139 provides that, "Any person acting as a  
20 real estate broker or real estate salesperson without a license or who advertises using words  
21 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
22 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
23 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
24 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
25 (\$60,000)...."

26 cc: TANIA WACHE  
27 816 West Street  
Redding, CA 96001

ATTY JWB/km