

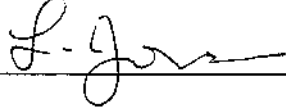
FILED

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187000
3 Sacramento, CA 95818-7000

December 24, 2012

4 Telephone: (916) 227-0789

DEPARTMENT OF REAL ESTATE

By 

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

10 * * *

11 To:)
12)
13 LANDMARK MANAGEMENT)
SERVICES INC., THALIA JONES,)
and LASHANNA CUMMINGS)
14)

NO. H-5934 SAC

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

15 The Commissioner (Commissioner) of the California Department of Real Estate
16 (Department) caused an investigation to be made of the activities of LANDMARK
17 MANAGEMENT SERVICES INC. (LANDMARK), THALIA JONES (JONES), and
18 LASHANNA CUMMINGS (CUMMINGS). Based on that investigation, the Commissioner has
19 determined that LANDMARK, JONES, and CUMMINGS have engaged in, are engaging in, or
20 are attempting to engage in, acts or practices constituting violations of the California Business
21 and Professions Code (Code), including the business of, acting in the capacity of, and/or
22 advertising or assuming to act as, a real estate broker in the State of California within the
23 meaning of Section 10131(b) (property management services). Furthermore, based on the
24 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of
25 Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

26 Whenever acts referred to below are attributed to LANDMARK, those acts are
27 alleged to have been done by JONES and/or CUMMINGS, acting by themselves, or by and/or

1 through one or more agents, associates, affiliates, and/or co-conspirators, and using the name
2 "Landmark Management Services.", "Landmark Real Estate Holding, LLC", or other names or
3 fictitious names unknown at this time.

4 FINDINGS OF FACT

5 1. At no time was LANDMARK licensed by the Department in any
6 capacity. LANDMARK is a corporation registered and in good standing in the State of
7 Nevada. JONES is the President and Chief Executive Officer (CEO) of LANDMARK and
8 CUMMINGS is the Executive Vice President of LANDMARK.

9 2. At no time was JONES licensed by the Department in any capacity.

10 3. At no time was CUMMINGS licensed by the Department in any
11 capacity.

12 4. During the period of time set forth below, LANDMARK, JONES, and
13 CUMMINGS, on behalf of others, for compensation or in expectation of compensation, leased or
14 rented and offered to lease or rent, and solicited for prospective tenants of real property or
15 improvements thereon, and collected rents from real property or improvements thereon.

16 5. Within the last three years, CUMMINGS, who was acting on behalf of
17 LANDMARK, in the course of the property management brokerage activities described above,
18 solicited prospective tenants for, negotiated rental agreements for, and/or collected rents from
19 real properties owned by another or others, including, but not limited to the rental properties
20 located at 1801 Marshall Road, Unit #208, Vacaville, 1628 Tuscon Circle, Suisun City, and 816
21 Mariposa Street, Rodeo.

22 6. Within the last three years, JONES, acting on behalf LANDMARK in the
23 course of the property management brokerage activities described above, solicited prospective
24 tenants for, negotiated rental agreements for, and/or collected rents from real properties owned by
25 another or others, including, but not limited to the rental properties located at 2416 Robles
26 Drive, Antioch, 1628 Tuscon Circle, Suisun City, and 800 Glendome Circle, Oakland.

27 ///

1 7. LANDMARK, in the course of the property management brokerage
2 activities described above, solicited prospective clients via a website, www.lmrkservices.com.
3 As described on the website, LANDMARK makes the following services and general claims:

- 4 • “Landmark Management Services Inc. of Vallejo, California, is a
5 property management company offering income management services,
6 tenant screening, and placement services.”
- 7 • “We offer
 - 8 ○ Thorough Background Checks and Screening of Applicants
 - 9 ○ Monthly Reports of Detailed Accounting Documentation
 - 10 ○ Placement Services”
- 11 • “Our Mission strives to provide the most Professional, effective,
12 accurate and efficient property management service available. We
13 have a company wide commitment to maximize the long term
14 profitability for our owners, while maintaining quality housing for
15 our tenants. Landmark has created effective management
16 programs for a wide variety of real estate holdings. Our primary
17 methodology is to work closely with you, so we form a better
18 understanding of your, your property, and your goals. Our
19 expertise and knowledge in property management has been
20 acquired through years of experience. The scope and breadth of
21 our staff allows you to have a specialized team at work on your
22 property’s needs. As a result, you will not find a firm more
23 qualified to handle both the operational and financial management
24 of your property’s physical and financial assets.”
- 25 • “We specialize in providing professional full service property
26 management for Contra Costa, and Solano County including:
27 Vallejo, Napa, Pittsburg, Antioch, San Pablo, Richmond,

1 Hercules, Fairfield, Vacaville, Rodeo, Crockett, Walnut Creek,
2 Concord, Martinez, Suisun, Rio Vista, Benicia, American
3 Canyon, Novato”

- 4 • “Our monthly management fee includes all of the following services:
 - 5 ○ Collection of rents
 - 6 ○ Serving of appropriate notices
 - 7 ○ Accurate accounting of monies collected
 - 8 ○ Handling tenant complaints and requests 24-hours a day
 - 9 ○ Coordinating all preventive and necessary maintenance
 - 10 ○ Paying bills associated with the property upon request of the owner
 - 11 ○ Detailed record keeping and documentation
 - 12 ○ Provide detailed monthly report and proceeds
 - 13 ○ Provide year end totals/reports and 1099’s for tax purposes
 - 14 ○ Meet with legal counsel and process evictions
 - 15 ○ Appear in small claims court on behalf of owner
 - 16 ○ Comprehensively walk the property, survey the property
 - 17 completely at least once every 90 days, and every 6 months
 - 18 thereafter
 - 19 ○ Assign any routine maintenance needed to maintenance staff
 - 20 ○ Placement of For Rent Sign on the Property
 - 21 ○ Placement of For Rent as in specified publications
 - 22 ○ Placement of the property on our vacancy list
 - 23 ○ 24 automated voicemail system
 - 24 ○ Posting photos on web
 - 25 ○ Showing the property to prospective applicants
 - 26 ○ Thorough screening of all applicants
 - 27 ○ Selection of a tenant and signing of lease and pertinent documents”

1 CONCLUSIONS OF LAW

2 8. Based on the findings of fact contained in Paragraphs 1 through 7,
3 LANDMARK, JONES, and CUMMINGS, have performed and/or participated in property
4 management activities which require a real estate license under Sections 10130 and 10131(b) of
5 the Code during a period of time when LANDMARK, JONES, and CUMMINGS were not
6 licensed by the Department in any capacity.

7 DESIST AND REFRAIN ORDER

8 Based on the Findings of Fact and Conclusions of Law stated herein,
9 LANDMARK, JONES, and CUMMINGS, whether doing business under your own name, or any
10 other names or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain
11 from performing any acts within the State of California for which a real estate broker license is
12 required. In particular, you are ordered to desist and refrain from soliciting or providing or
13 participating in property management services for others and for compensation, unless and until
14 you obtain a real estate broker license issued by the Department.

15 DATED: 12/17/2012

16
17 REAL ESTATE COMMISSIONER

18 
19
20 By WAYNE S. BELL
21 Chief Counsel

22 - NOTICE -

23 Business and Professions Code Section 10139 provides that "Any person acting as a real
24 estate broker or real estate salesperson without a license or who advertises using words indicating
25 that he or she is a real estate broker without being so licensed shall be guilty of a public offense
26 punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the
27 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)."