

*Tracy*

1 DEPARTMENT OF REAL ESTATE  
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**FILED**

MAR 04 2021

DEPARTMENT OF REAL ESTATE  
By *K. Trapp*

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 To: )  
12 SZE YU DANNY MA ) NO. H- 6964 SAC  
13 ) ORDER TO DESIST AND REFRAIN  
14 ) (B&P Code Section 10086)

15 The Real Estate Commissioner (Commissioner) of the State of California has  
16 caused an investigation to be made of the activities of SZE YU DANNY MA (MA), including  
17 engaging in the business of, acting in the capacity of, advertising, or assuming to act as a real  
18 estate broker in the State of California within the meaning of Section 10131(b) of the California  
19 Business & Professions Code (the Code). Based upon the findings of that investigation, as set  
20 forth below, the Commissioner has determined and is of the opinion that:

21 MA has violated Section 10130 of the Code by engaging in the business of or  
22 acting as a real estate salesperson or broker, within the meaning of Sections 10130 (act as a real  
23 estate broker or salesperson without a license) and 10131(b) (engaging in property management  
24 activities) without first having obtained a real estate license from the California Department of  
25 Real Estate (Department).

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1 FINDINGS OF FACT

2 1. At no time within the last three years was MA licensed by the  
3 Department as a real estate salesperson or real estate broker.

4 2. MA conducted property management activities for that certain real  
5 property known as 7461 Sun Castle, Sacramento, CA 95823.

6 3. From 2015 until December 2019, MA collected rent from tenants, Jackie  
7 S. and Dennis S., for the 7461 Sun Castle Property.

8 4. MA conducted property management activities for that certain real  
9 property known as 100 Sun Shower Circle, Sacramento, CA 95823.

10 5. From May 1, 2018 through April 30, 2019, MA collected rent from  
11 tenants, Michele W. and Doris W., for the 100 Sun Shower Property.

12 6. At all times mentioned herein, continuing up to at least June 1, 2020,  
13 MA engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker  
14 within the State of California within the meaning of Section 10131(b) of the Code, including  
15 leasing, renting, or offering places to rent, negotiating the sale or purchase of leases of real  
16 property or collecting rents on real property for compensation or in expectation of  
17 compensation, including but not limited to real property located in Sacramento, California,  
18 commonly known as:

19 120 Sun Shower Circle

20 190 Sun Shower Circle

21 200 Sun Shower Circle

22 279 Sun Shower Circle

23 280 Sun Shower Circle

311 Sun Shower Circle

24 320 Sun Shower Circle

25 341 Sun Shower Circle

400 Sun Shower Circle

26 11 Sun Shower Place

27 33 Sun Shower Place

- 1 7500 Sun Willow Lane
- 2 7501 Sun Willow Lane
- 3 7557 Sun Willow Lane
- 4 11 Sun Reign Place
- 5 12 Sun Reign Place
- 6 18 Sun Reign Place
- 7 7401 Sun Reign Place
- 8 7415 Sun Reign Place
- 9 7418 Sun Reign Place
- 10 7443 Sun Reign Place
- 11 7449 Sun Reign Place
- 12 7419 Sun Castle Place
- 13 7425 Sun Castle Place
- 14 7431 Sun Castle Place
- 15 7523 Sun Castle Place
- 16 7437 Sun Castle Lane
- 17 7443 Sun Castle Lane
- 18 7467 Sun Castle Lane
- 19 7472 Sun Castle Lane
- 20 7498 Sun Castle Lane
- 21 7503 Sun Castle Lane

22 CONCLUSIONS OF LAW

23 7. Based on the findings of fact contained in paragraphs 1 through 6, above,  
24 MA, among other things, solicited and/or performed services for landlords, borrowers, including  
25 but not limited collecting rents and depositing the same into trust accounts, offering places to rent  
26 on behalf of landlords, for or in expectation of a compensation and claimed, demanded, charged,  
27 received, collected or contracted for a fee for such services. Thus, MA violated Sections 10130  
and 10131(b) of the Code.

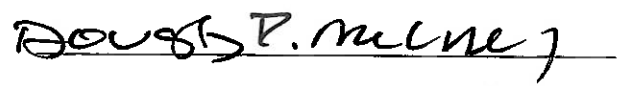
DESIST AND REFRAIN ORDER

NOW, THEREFORE, SZE YU DANNY MA IS HEREBY ORDERED to  
immediately desist and refrain from performing any and all acts within the State of California for  
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///  
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1 which a real estate license is required, unless and until he obtains a real estate salesperson or  
2 broker license, as appropriate.

3  
4 DATED: 2.12.21, 2021.

5  
6 DOUGLAS R. McCAULEY  
7 REAL ESTATE COMMISSIONER

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10 **NOTICE**

11 Business and Professions Code Section 10139 provides that “Any person acting  
12 as a real estate broker or real estate salesperson without a license or who advertises using words  
13 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
14 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
15 imprisonment in the county jail for a term not to exceed six months, or by both fine and  
16 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
17 (\$60,000)....”