

FILED

BEFORE THE DEPARTMENT OF REAL ESTATE

APR 29 2024

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By RJ dew

* * *

In the Matter of the Accusation of:)
) DRE No. H-7146 SAC
D+S MANAGEMENT SERVICES, INC and)
STACY LYNN FIELDS,)
)
Respondents.)

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 February 12, 2024, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondents, D+S MANAGEMENT SERVICES, INC ("DSMSI") and STACY LYNN FIELDS ("FIELDS"); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 commencing with Section 10000 of the Business and Professions Code ("Code") and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations ("Regulations").

Pursuant to Government Code Section 11521, the California Department of Real Estate ("the Department") may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department's power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On December 21, 2023, RUTH CORRAL made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and

Notice of Defense were mailed, by certified mail, return receipt requested, to Respondents' last known mailing address on file with the Department on December 21, 2023.

On February 12, 2024, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

2.

Respondents are presently licensed and/or have license rights under the Real Estate Law, Part 1 of Division 4 of the Code.

3.

At all times mentioned, DSMSI was and is licensed by the Department as a real estate broker corporation.

4.

At all times mentioned, FIELDS was and is licensed by the Department as a real estate broker. Effective June 28, 2022, FIELDS' real estate license expired. Pursuant to Section 10201 of the Code, FIELDS retains renewal rights for 2 years. Pursuant to Section 10103 of the Code, the Department retains jurisdiction.

At all times mentioned, FIELDS is licensed by the Department as the designated broker officer of DSMSI. As the designated broker officer, FIELDS was responsible, pursuant to Section 10159.2 of the Code, for the supervision of the activities of officers, agents, real estate licensees and employees of DSMSI for which a real estate license is required to ensure the compliance of the corporation with the Real Estate Law and Regulations.

5.

At all times mentioned, Respondents conducted real estate activity under DSMSI's real estate broker corporation license and the registered fictitious business name, "California Investor".

6.

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the State of California within the meaning of Section 10131(b) of the Code, including the operation and conduct of a property management business with the public wherein, on behalf of others, for compensation or in expectation of compensation, Respondent leased or rented or offered to lease or rent, or placed for rent, or solicited listings of places for rent, or solicited for prospective tenants, or negotiated the sale, purchase or exchanges of leases on real property, or on a business opportunity, or collected rents from real property, or improvements thereon, or from business opportunities.

7.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on December 21, 2023, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

8.

The allegations contained in the Accusation under the First Cause of Action, incorporated herein by reference as indicated in Paragraph 7, above, violate Sections 2752, 2831.1, 2832.1, 2834 of the Regulations, and Sections 10145 and 10161.8 of the Code, and constitute cause for the suspension or revocation of all the licenses and license rights of Respondents under the provisions of Sections 10177 (d), and 10177 (g) of the Code.

9.

The allegations contained in the Accusation under the Second Cause of Action, incorporated herein by reference as indicated in Paragraph 7, above, violate Section 2725 of the Regulations, and Section 10159.2 of the Code, and constitute cause for the suspension or revocation of all the licenses and license rights of Respondent FIELDS under the provisions of Sections 10177 (d), (g) and (h) of the Code.

10.

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

ORDER

All licenses and licensing rights of D+S MANAGEMENT SERVICES, INC and STACY LYNN FIELDS 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 MAY 20 2024.

DATED: 4/2/2024.

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

FILED

FEB 12 2024

DEPARTMENT OF REAL ESTATE

By By dew

Department of Real Estate
1651 Exposition, Blvd.
Sacramento, CA, 95815

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE NO. H-07146 SAC
)	
D+S MANAGEMENT SERVICES, INC,)	<u>DEFAULT ORDER</u>
)	
Respondent.)	
)	

Respondent D+S MANAGEMENT SERVICES, 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 FEBRUARY 12, 2024.

CHIKA SUNQUIST
REAL ESTATE COMMISSIONER

Veronica Kilpatrick
VERONICA KILPATRICK
Acting Assistant Commissioner, Enforcement

FEB 12 2024

DEPARTMENT OF REAL ESTATE
By Ryden

* * *

Respondent STACY LYNN FIELDS, 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.

Veronica Kilpatrick
VERONICA KILPATRICK
Acting Assistant Commissioner, Enforcement