

1 DEPARTMENT OF REAL ESTATE  
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**FILED**

AUG - 1 2011

DEPARTMENT OF REAL ESTATE  
By R. Max

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 To: )  
12 HARRIET PLATT UKAI ) NO. H-11179 SF  
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 HARRIET PLATT UKAI (UKAI),  
17 including engaging in the business of, acting in the capacity of, advertising, or assuming to act  
18 as a real estate broker in the State of California within the meaning of Section 10131(b) of the  
19 California Business & Professions Code (the Code). Based upon the findings of that  
20 investigation, as set forth below, the Commissioner has determined and is of the opinion that  
21 UKAI, has violated Section 10130 of the Code by engaging in the business of or acting as a real  
22 estate salesperson or broker, within the meaning of Sections 10130 (act as a real estate broker or  
23 salesman without a license), 10131(b) (engaging in property management activities) and 10137  
24 (Accepting Compensation from Person Other Than Broker) of the Code without first having  
25 obtained a real estate license from the California Department of Real Estate (Department).

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1 FINDINGS OF FACT

2 1. While UKAI has been licensed as a real estate salesperson, no time within  
3 the last three years was UKAI, licensed by the Department as a real estate broker.

4 2. At all times mentioned herein, continuing up to at least June 30, 2011,  
5 UKAI engaged in the business of, acted in the capacity of, or assumed to act as a real estate  
6 broker within the State of California within the meaning of Section 10131(b) of the Code,  
7 including leasing, renting, or offering places to rent, negotiating the sale or purchase of leases of  
8 real property or collecting rents on real property for compensation or in expectation of  
9 compensation, including but not limited to real property commonly known as: 245 Tamalpais  
10 Road, Fairfax, California (Tamalpais Property).

11 3. At all times mentioned herein, continuing up to at least June 30, 2011,  
12 UKAI accepted compensation for property management activities directly from the owner of the  
13 Tamalpais Property.

14 CONCLUSIONS OF LAW

15 4. Based on the findings of fact contained in paragraphs 1 through 3, above,  
16 UKAI, among other things, solicited and/or performed services for landlords, borrowers,  
17 including but not limited collecting rents and depositing the same into trust accounts, offering  
18 places to rent on behalf of landlords, for or in expectation of a compensation and claimed,  
19 demanded, charged, received, collected or contracted for a fee for such services. Thus, UKAI  
20 violated Sections 10130, 10131(b) and 10137 of the Code.

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1 DESIST AND REFRAIN ORDER

2 Now, therefore HARRIET PLATT UKAI IS HEREBY ORDERED to  
3 immediately desist and refrain from:

4 (1) Performing any and all acts within the State of California for which a real  
5 estate broker license is required, unless and until he or she obtains a real estate broker license.

6 (2) Accepting compensation from any person other than the broker under  
7 whom she is licensed.

8 DATED: 7/28/11

9 BARBARA J. BIGBY  
10 Acting Real Estate Commissioner

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15 -NOTICE-

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

23  
24 cc: HARRIET PLATT UKAI  
25 3701 Buchanan Street  
26 San Francisco, CA 94123

27 ATTY: RKU/km