1 DEPARTMENT OF REAL ESTATE
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2 Sacramento, CA 95818-7007

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FILED

AUG 2 6 2011

DEPARTMENT OF REAL ESTATE

By D. Contreras

BEFORE THE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

12 To:)
13   )   NO. H-11206 SF
    WILLIAM DOUGLAS JOINER.   )
14   )   ORDER TO DESIST AND REFRAIN
)   (B&P Code Section 10086)
15 _____)

16   The Real Estate Commissioner (Commissioner) of the State of California has

17 caused an investigation to be made of the activities of WILLIAM DOUGLAS JOINER

18 (JOINER) including engaging in the business of, acting in the capacity of, advertising, or

19 assuming to act as a real estate broker in the State of California within the meaning of Section

20 10131(a) of the California Business and Professions Code (the Code). Based upon the findings

21 of that investigation, as set forth below, the Commissioner has determined and is of the opinion

22 that JOINER has violated Section 10130 of the Code by engaging in the business of or acting as a

23 real estate salesperson or broker within the meaning of Code Sections 10130 (act as a real estate

24 broker or salesman without a license) and 10131(a) (engaging in resale of real property) without

25 first having obtained a real estate license from the California Department of Real Estate

26 (Department).

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FINDINGS OF FACT

1. At no time mentioned herein, was JOINER licensed by the Department as either a real estate broker or a real estate salesperson.

2. At all times mentioned herein between on or about June 14, 2010 and continuing up to at least July 15, 2011, JOINER engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(a) of the Code, including selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers of, soliciting or obtaining listings of, or negotiating the purchase, sale or exchange of real property or business opportunity, for compensation or in expectation of compensation, including but not limited to real property commonly known as: AP No. 013116102800, Oakland, California and 555-48th Street, Oakland, California.

CONCLUSIONS OF LAW

3. Based on the Findings of Fact contained in Paragraphs 1 and 2, JOINER, among other things, solicited and/or performed services for prospective sellers or purchasers by soliciting or obtaining listings of, or negotiating the purchase, sale or exchange of real property or business opportunities, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for an advanced fee for such services. Thus, JOINER violated Sections 10130 and 10131(a) of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore, WILLIAM DOUGLAS JOINER IS HEREBY ORDERED to immediately desist and refrain from:

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

DATED: _August 11, 2011_

BARBARA J. BIGBY
Acting Real Estate Commissioner

By: _William F. Moran_
WILLIAM E. MORAN
Assistant Commissioner
Enforcement

-NOTICE-

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

cc: WILLIAM DOUGLAS JOINER
364 Clara Street
Oakland, CA 94603

ATTY:RKU/km

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