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OCT 10 2018

DEPARTMENT OF REAL ESTATE  
By By dew

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4 Telephone: (916) 263-8670  
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8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11  
12 To: )  
13 )  
14 ABEL CABRERA MARTINEZ. )  
15 )  
16 )

No. H-12311 SF  
ORDER TO DESIST AND REFRAIN  
(B&P Code Section 10086)

17 The Real Estate Commissioner of the State of California (Commissioner) has  
18 caused an investigation to be made of the activities of ABEL CABRERA MARTINEZ  
19 (CABRERA). Based on that investigation, the Commissioner has determined that CABRERA  
20 has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting  
21 violations of the California Business and Professions Code (Code), including the business of,  
22 acting in the capacity of, and/or advertising or assuming to act as a real estate broker in the State  
23 of California with the meaning of Section 10131(a) (residential resales) of the Code without first  
24 having obtained a real estate broker license, in violation of Section 10130 of the Code.  
25 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings  
26 of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10186  
27 of the Code.

1 CABRERA has violated Section 10130 of the Code by engaging in the business  
2 of or acting as a real estate licensee, within the meaning of Section 10131(a) of the Code without  
3 first obtaining a real estate license from the State of California.

4 FINDINGS OF FACT

5 1. At no time mentioned herein was CABRERA licensed by the Department  
6 as a real estate salesperson or broker.

7 2. At all times mentioned herein, CABRERA engaged in the business of,  
8 acted in the capacity of, advertised, or assumed to act as a real estate licensee, in the State of  
9 California, within the meaning of Section 10131(a) of the Code, including the operation and  
10 conduct of a residential resale brokerage wherein CABRERA bought, sold, or offered to buy or  
11 sell, solicited or obtained listings of, and negotiated the purchase, sale or exchange of real  
12 property or business opportunities, all for or in expectation of compensation, including, but not  
13 limited to the following property: 225 College Avenue, Vallejo, California, 17410 Pheasant  
14 Downs Road, Lathrop, California, 900 Jack London Drive, Vallejo, California, 519 Wood Duck  
15 Drive, Suisun, California and a Certain House on Mini Drive, Vallejo, California.

16 3. Beginning in or about June 2016, and continuing to the present,  
17 CABRERA agree to represent buyers in their efforts to purchase a residence. CABRERA's  
18 activities included, but were not limited to demanding and accepting earnest money deposits  
19 from prospective buyers, depositing earnest money deposits into his own account or that of John  
20 Scott and negotiating loans on behalf of potential buyers with lenders.

21 CONCLUSIONS OF LAW

22 1. Based on the Findings of Fact contained in Paragraphs 1 through 3, above,  
23 CABRERA has performed and/or participated in residential resale activities which require a real  
24 estate license under Section 10131(a) of the Code, during a period of time when CABRERA was  
25 not licensed by the Department as a real estate salesperson or broker in violation of Section  
26 10130 of the Code.  
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