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JUN 20 2022

DEPARTMENT OF REAL ESTATE

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DEPARTMENT OF REAL ESTATE  
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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

To:	JEREMY FLIEDER,  Respondent.	}	No. H-12518 SF
			<u>ORDER TO DESIST AND REFRAIN</u> (B & P Code Section 10086)

The Real Estate Commissioner ("Commissioner") of the State of California has caused an investigation to be made into the activities of JEREMY FLIEDER, ("Respondent"). As a result of said investigation, the Department of Real Estate ("Department") has found that Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers in the State of California within the meaning of California Business and Professions Code ("Code") Sections 10130 and 10131(b). Based upon the findings of this investigation as set forth below, the Commissioner has determined and is of the opinion that:

Respondent has violated Section 10130 of the Code by engaging in the business of or acting as a real estate broker, within the meaning of Section 10131(b) (Engaging in Property Management Activities) of the Code without first having obtained a real estate broker license from the Department. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. Respondent does not now, and has never held, a real estate license in the state of California.

2. On or about March 20, 2020, the Department received a consumer online complaint alleging that Respondent was engaging in unlicensed real estate activities by managing rental properties in the Oakland area without being licensed by the Department.

3. On or about October 12, 2020, an Unlicensed Activity Letter was issued to Respondent regarding the allegations made against Respondent in the consumer online complaint. The letter included a Declaration (RE518A) and a response deadline of October 30, 2020.

4. On or about October 27, 2020, Respondent requested an extension of the Declaration deadline. An extension was granted until November 13, 2020.

5. On or about November 19, 2020, Respondent was contacted regarding the overdue response.

6. On or about November 20, 2020, Respondent responded via email to the Department's request for a Declaration. In his email, Respondent had questions pertaining to unlicensed activities, and the process and potential consequences of engaging in unlicensed activities. Respondent was subsequently made aware of the process and potential consequences of engaging in unlicensed activities.

7. On or about December 4, 2020, Respondent submitted a completed Declaration to the Department.

8. In the Declaration, Respondent stated that he actively managed, or had previously managed, several properties that he did not own, or partially owned including: 1013 Linden St., Oakland, CA 94607 (0% ownership); 700 27th Street, Oakland, CA 94612 (25% ownership); and 857 Milton St. Oakland, CA 94607 (50% ownership).

9. Also in the Declaration, Respondent admitted to the following: (a) He works independently to manage properties that he owns as well as properties owned by Peter H; (b)

1 Respondent is paid compensation for his property management services via electronic  
2 transaction; and (c) Respondent admitted that he did not operate under the authority of a license  
3 issued by the Department of under a known exemption from the Department.

4 CONCLUSIONS OF LAW

5 Based on the Findings of Fact contained in Paragraphs 1 through 9, Respondent  
6 has performed and/or participated in property management activities which require a real estate  
7 broker license under Sections 10130 and 10131(b) of the Code. Thus, Respondent violated  
8 Section 10130 and 10131 of the Code.

9 DESIST AND REFRAIN ORDER

10 Based on the Findings of Fact and Conclusions of Law stated herein, JEREMY  
11 FLIEDER IS HEREBY ORDERED to immediately Desist and Refrain from performing any and  
12 all acts within the State of California for which a real estate broker license is required, in  
13 particular, to immediately Desist and Refrain from providing or participating in property  
14 management services for others and for compensation unless and until a real estate broker license  
15 is obtained.

16 DATED: 5.19.22

17  
18 DOUGLAS R. McCAULEY  
19 REAL ESTATE COMMISSIONER

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21  
22 -NOTICE-

23  
24 Business and Professions Code Section 10139 provides that "Any person acting  
25 as a real estate broker or real estate salesperson without a license or who advertises using words  
26 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
27 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)...."

