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Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105
Telephone: (213) 576-6982

FILED
OCT 05 2000
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

TO:)
CENTURY 21 VACATION) NO. H-28804 LA
PROPERTIES and)
PAULA LORRAINE HIGDON.) ORDER TO DESIST AND REFRAIN
(B&P Code § 10086)

The Real Estate Commissioner of the State of California (hereinafter "Commissioner") has determined from the findings set forth below that you have violated Sections 10130 and 10085 of the Business and Professions Code (hereinafter "Code") and Section 2970 of Chapter 6, Title 10, California Code of Regulations (hereinafter "Regulation").

I

At no time herein mentioned, have you, CENTURY 21 VACATION PROPERTIES and/or PAULA LORRAINE HIGDON, been licensed by the Department of Real Estate of the State of California (hereinafter "Department") as a real estate broker. During a period of time from April 30, 1998 through the present, for expectation of compensation, you solicited California residents offering to act on their behalf in the capacity of a real

1 estate broker, that is, offering to list and sell their
2 timeshare property. This solicitation was done via the medium
3 of television advertising. None of the advertising material
4 used by you was submitted to the Commissioner.

5 II

6 Further, at all times material herein, in the State
7 of California, you engaged in the business of claiming,
8 demanding, charging, receiving, collecting or contracting for
9 the collection of advance fees, within the meaning of Code
10 Sections 10026 and 10131.2, including, but not limited to, the
11 following: during June of 1999, Dianne Faulkner (a real estate
12 salesperson licensed by State of California Department of Real
13 Estate) responded to your advertisement to sell her timeshare
14 property and was informed that your services first required
15 payment of an advance fee in the amount of \$398.00.

16 III

17 Your acts as described in Paragraphs I and II, above,
18 are acts requiring a real estate broker license under the
19 provision of Code Sections 10131(a) and 10131.2.

20 IV

21 You violated Code Section 10130 by engaging in the
22 activities described in Paragraph II, above, without first
23 obtaining a real estate broker license from the Department.

24 V

25 Your acts as described in Paragraph II, above,
26 constitute a violation of Code Section 10085 and Regulation
27 2970 in that you failed to submit any and all materials used in

1 obtaining advance fee agreements to the Commissioner ten days
2 before use.

3 NOW, THEREFORE, YOU ARE ORDERED TO DESIST AND REFRAIN
4 from performing any and all acts requiring a real estate
5 license in the State of California (individually and under any
6 fictitious business name) until you obtain the required license
7 from the Department.

8 YOU ARE FURTHER ORDERED TO DESIST AND REFRAIN from
9 collecting advance fees within the meaning of Code Section
10 10026 unless and until you are in compliance with Code Sections
11 10130, 10185 and Regulation 2970.

12 DATED: February 2, 2000.

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14 PAULA REDDISH ZINNEMANN
15 Real Estate Commissioner
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24 cc: Century 21 Vacation Properties
25 Paula Lorraine Higdon
26 5750 Major Boulevard, Suite 150
27 Orlando, FL 32819

W:SR
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