

1 Department of Real Estate
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 3 Los Angeles, California 90013-1105
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FILED

FEB 15 2002

DEPARTMENT OF REAL ESTATE

By *Shelly Elzy*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
 9 STATE OF CALIFORNIA

10 * * * * *

11 TO:

12)	No. H- 29393LA
13)	
14)	<u>ORDER TO DESIST</u>
15)	<u>AND REFRAIN</u>
16)	

LORDEN LEASING AND REAL ESTATE SERVICES INC., and BARRY CHARLES MARINE, formerly as designated officer of Lorden Leasing and Real Estate Services Inc.,

17 The Real Estate Commissioner of the State of
 18 California has determined from the findings herein set forth
 19 below that you, LORDEN LEASING AND REAL ESTATE SERVICES
 20 INC., and you, BARRY CHARLES MARINE, have violated Sections
 21 10167.9(a) and 10167.9(c) of the Business and Professions
 22 Code (hereinafter "Code").

23 The Real Estate Commissioner of the State of
 24 California has furthermore determined from the findings
 25 herein set forth below that you, BARRY CHARLES MARINE
 26 ("MARINE"), have violated Code Section 10159.2 and Section
 27

1 2731(c) (3) of Title 10, Chapter 6, California Code of
2 Regulations ("Regulations").

3 1.

4 From June 23, 1993 to August 30, 2001, you MARINE were
5 licensed by the Department of Real Estate ("Department") as
6 designated officer of LORDEN LEASING AND REAL ESTATE SERVICES
7 INC. ("LLRESI") to qualify it and to act for it as a real estate
8 broker and, as provided by Code Section 10159.2, were responsible
9 for the supervision and control of the activities conducted on
10 its behalf by its officers, managers and employees as necessary
11 to secure full compliance with the provisions of the Real Estate
12 Law including the supervision of the salespersons licensed to the
13 corporation in the performance of acts for which a real estate
14 license is required. LLRESI was originally licensed as a
15 corporate real estate broker by the Department on October 25,
16 1999. LLRESI does not hold a license for use of any fictitious
17 business names.
18

19 2.

20 On July 23, 1999, LLRESI was incorporated under the
21 laws of the State of California. "Judith Lorden" was the
22 Incorporator named in the Articles of Incorporation. On the
23 California Secretary of State Corporate Record "Judy Lorden" is
24 listed as the President and as the Registered Agent for the
25 corporation.

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1 3.

2 "Judy Lorden" appears on the Statement by Domestic
3 Stock Corporation filed with the Secretary of State on January 3,
4 2000, as the Chief Executive Officer and as agent for service of
5 process for the corporation. "Barry Marine" appears as the
6 Secretary and Chief Financial Officer. Both Judy Lorden and
7 Barry Marine are listed as officers who are also directors of the
8 corporation.
9

10 4.

11 Whenever reference is made in the Order to Desist and
12 Refrain to a violation by LLRESI it shall be deemed to mean that
13 the officers, directors, managers, employees, agents and real
14 estate licenses employed by or associated with LLRESI including
15 MARINE committed the violation while engaged in the furtherance
16 of its business or operation and while acting within the course
17 and scope of its corporate authority, agency and employment.
18

19 5.

20 You, MARINE, were originally licensed as a real estate
21 broker on March 22, 1991. Additionally, you were the designated
22 officer of LLRESI from the date of its original licensure as a
23 corporate real estate broker on October 25, 1999 up to August 30,
24 2001. Additionally, you, hold a license to use the fictitious
25 business names of "Marine Financial Services" and "Pets OK Apt &
26 Home Finders" in your individual broker capacity.
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6.

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2 During a period of time from July 23, 1999, to present,
3 you, LLRESI and you, MARINE, jointly and severally operated a
4 Prepaid Rental Listing Service, as defined in Code Section
5 10167(a) ("PRLS") located at 10689 Santa Monica Blvd., Suite 1,
6 West Los Angeles, California. Said PRLS was operated under the
7 fictitious names Lorden Leasing and Real Estate Services, Lorden
8 Leasing, Marine Financial, Marine Financial Services, Pets OK Apt
9 & Home Finders, and Pets OK, including combinations of these
10 names used together.

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12 You jointly and severally supplied prospective tenants,
13 including, but not limited to Vanessa Fung, Beth Rachel
14 Scheffress, Valerie Billie Klayman, Zoe Muntaner, Kelly D.
15 Simmons, David Brian Salyers, Susan Rochelle Harshman, and Alvaro
16 and Luciana Melo, with listings of residential real properties
17 for tenancy pursuant to an arrangement requiring prospective
18 tenants to pay a fee in advance of, or contemporaneously with the
19 supplying of, listings of residential real property for tenancy.
20 You, LLRESI, and you, MARINE, jointly and severally solicited
21 for and negotiated with the aforementioned prospective tenants.

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24 Neither, you, LLRESI, nor you, MARINE, submitted a
25 Lorden Leasing contract to the Department for approval for PRLS
26 use, in violation of Code Section 10167.9(c). You, MARINE, did
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1 submit a Pets OK contract to the Department but said contract was
2 not approved.

3 9.

4 In no case did you, LLRESI, or you, MARINE provide to
5 prospective tenants Vanessa Fung, Beth Rachel Scheffress, Valerie
6 Billie Klayman, Zoe Muntaner, Kelly D. Simmons, David Brian
7 Salyers, Susan Rochelle Harshman, and Alvaro and Luciana Melo, a
8 valid or complete Prepaid Rental Listing Service contract pre-
9 approved by the Department of Real Estate, in violation of Code
10 Sections 10167.9 (a) and 10167.9(c).

11 10.

12 You, MARINE, used the fictitious name of Lorden Leasing
13 and Real Estate Services, and Lorden Leasing, to conduct licensed
14 activities on your behalf without holding licenses bearing said
15 fictitious business names and after being denied permission to
16 use the name "Lorden" by the Department, in violation of
17 Regulation 2731(c)(3).

18 11.

19 YOUR overall conduct MARINE constitutes a failure on
20 your part, as the former officer designated by a corporate broker
21 licensee, responsible for the supervision and control over the
22 activities conducted on behalf of LLRESI by its officers,
23 managers and employees as necessary to secure full compliance
24 with the provisions of the Real Estate Law, in violation of the
25 provisions of Code Section 10159.2.
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cc: Lorden Leasing and Real Estate Services Inc.
c/o Barry Charles Marine D.O.
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West Los Angeles, California

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