

1 Department of Real Estate
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3 Los Angeles, CA 90013

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FILED
MAY 27 2011
DEPARTMENT OF REAL ESTATE

By CA

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:) No. H-37302 LA
12 LAWRENCE SHEPHERD and)
13 YOLANDA SHEPHERD,) ORDER TO DESIST
14 both doing business as) AND REFRAIN
Redrock Property Management.) (B&P Code Section 10086)

15 The Real Estate Commissioner of the State of California ("Commissioner") has
16 caused an investigation to be made of the activities of LAWRENCE SHEPHERD and
17 YOLANDA SHEPHERD, both doing business as Redrock Property Management. Based on
18 that investigation, the Commissioner has determined that LAWRENCE SHEPHERD and
19 YOLANDA SHEPHERD have engaged in, are engaging in, and/or are attempting to engage in,
20 acts or practices constituting violations of the California Business and Professions Code
21 ("Code"). Such practices include acting in the capacity of, advertising, or assuming to act as a
22 real estate broker in the State of California within the meaning of Code Section 10131(b)
23 (leasing, renting, negotiating leases, offering to lease or rent, soliciting listings of places for rent,
24 or collecting rents from real property on behalf of another or others). Based on that
25 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of
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1 Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

2 FINDINGS OF FACT

3 1. LAWRENCE SHEPHERD ("L. SHEPHERD"), is not now, and has never
4 been, licensed by the Department of Real Estate of the State of California ("Department") as a
5 real estate broker or as a salesperson employed by a real estate broker.

6 2. YOLANDA SHEPHERD ("Y. SHEPHERD"), is not now, and has never
7 been, licensed by the Department as a real estate broker or as a salesperson employed by a real
8 estate broker.

9 3. On or about August 8, 2006, L. SHEPHERD and Y. SHEPHERD (sometimes
10 referred to as "the SHEPHERDS") registered the fictitious business name "Redrock Property
11 Management" with the Los Angeles County Recorder's office.

12 4. Beginning on or after August 8, 2006, and continuing to the present time, the
13 SHEPHERDS have done business together, and at times with other agents and employees, as
14 Redrock Property Management.
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16 5. In furtherance of their property management business, the SHEPHERDS, as
17 Redrock Property Management, and www.redrockpropertymanagement.com, advertised in
18 various print and news media and on the internet, offering their property management services.
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20 6. Examples of property management activities the SHEPHERDS engaged in as
21 Redrock Property Management include collecting rent checks from tenants on behalf of the
22 owner of an apartment building located at 509 Lincoln Avenue, Glendale, CA 91205. In
23 addition, L. SHEPHERD negotiated the terms and conditions of tenants moving out, and was
24 responsible for refunding security deposits to them. Specifically, on or about December 30,
25 2009, January 31, 2010, and March 31, 2010, the SHEPHERDS, as Redrock Property
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1 Management, collected rent checks made out to them from the tenant of 509 Lincoln Avenue,
2 Apt. 6. In April of 2010, L. SHEPHERD performed a walk-through of Apt. 6 with the tenant as
3 part of the move-out process. He negotiated the terms and conditions of her moving out, and the
4 refund of the security deposit. He determined that no refund was warranted, and the tenant was
5 not able to negotiate directly with the owner the building. Ultimately, the tenant had to sue in
6 small claims court, and was successful in obtaining only a portion the deposit.
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8 7. L. SHEPHERD and Y. SHEPHERD, sometimes doing business as Redrock
9 Property Management, acting individually or in concert with other employees or agents, engaged
10 in property management activities requiring a real estate license when they were not licensed by
11 the Department in any capacity.
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13 CONCLUSIONS OF LAW

14 The conduct, acts and/or omissions of L. SHEPHERD and Y. SHEPHERD, at
15 times doing business as Redrock Property Management, in advertising, soliciting, and
16 negotiating on behalf of owners of rental property when they were not licensed by the
17 Department is in violation of Code Section 10130.
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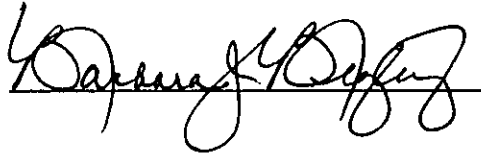
19 DESIST AND REFRAIN ORDER

20 Based on the Findings of Fact and Conclusions of Law stated herein, you, L.
21 SHEPHERD and you, Y. SHEPHERD, whether doing business under your own name, or any
22 other names, or any fictitious names, ARE HEREBY ORDERED to immediately desist and
23 refrain from performing any acts within the State of California for which a real estate broker
24 license is required. In particular, you are ORDERED TO DESIST AND REFRAIN from
25 negotiating leases and collecting rents on behalf of owners of rental property and from charging,
26 demanding, claiming, collecting and/or receiving a fee for any of the services offered by you to
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1 others, unless and until you obtain a real estate broker license issued by the Department, and
2 until you demonstrate and provide evidence satisfactory to the Commissioner that you are in
3 full compliance with all of the requirements of the Code and Commissioner's Regulations
4 relating to charging, collecting, and accounting for fees.

5 DATED: 5/17, 2011.
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7 Real Estate Commissioner

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13 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
14 real estate broker or real estate salesperson without a license or who advertises using words
15 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
16 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)."
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24 cc: Lawrence Shepherd
25 Yolanda Shepherd
26 dba Redrock Property Management
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