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FILED

JUN 27 2012

DEPARTMENT OF REAL ESTATE

BY: C. J.

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 To:) NO. H-38221 LA
12)
13 RAYMOND HAMILTON GARRA II and) ORDER TO DESIST
14 TERAGAR PROPERTY MANAGEMENT.) AND REFRAIN
15)
16)

17 The Commissioner ("Commissioner") of the Department of Real Estate
18 ("Department") of the State of California caused an investigation to be made of the activities of
19 RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT. Based
20 on that investigation the Commissioner has determined that RAYMOND HAMILTON GARRA
21 II and TERAGAR PROPERTY MANAGEMENT have engaged in, are engaging in acts or
22 attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming
23 to act as real estate brokers in the State of California within the meaning of Business and
24 Professions Code Sections 10131(b) (advertising, soliciting borrowers for, and offering to
25 negotiate loans or perform loan modification services for borrowers in connection with loans
26 secured by liens on real property) and 10131.2 (collecting advance fees in connection with those
27 services).

1 In addition, based on that investigation, the Commissioner has determined that
2 RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT have
3 engaged in or are engaging in acts or are attempting to engage in practices constituting violations
4 of the California Business and Professions Code ("Code"). Based on the findings of that
5 investigation, set forth below, the Commissioner hereby issues the following Findings of Fact,
6 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
7 Code.

8 Code Section 10132 defines a real estate salesperson as a person who, for
9 compensation or in expectation of compensation, is employed by a licensed real estate broker to
10 do one or more of the acts set forth in Sections 10131, 10131.1, 10131.2, 10131.3, 10131.4, and
11 10131.6. Code Section 10131 defines a real estate broker as a person who: (b) leases or rents or
12 offers to lease for rent, or places for rent, or solicits listings of places for rent, or solicits for
13 prospective tenants, or negotiates the sale, purchase or exchanges of leases on real property, or
14 on a business opportunity, or collects rents from real property, or improvements thereon, or from
15 business opportunities.

16 FINDINGS OF FACT

17 1. RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY
18 MANAGEMENT are not now and have never been licensed by the Department as real estate
19 brokers.

20 2. From May 3, 2002, through the present, RAYMOND HAMILTON GARRA
21 II ("GARRA") has been licensed by the Department as a real estate salesperson, license no.
22 01337521.

23 3. At no time mentioned herein, has TERAGAR PROPERTY MANAGEMENT
24 ever been licensed by the Department in any capacity.

25 4. During a period of time from approximately, August 7, 2006, through the
26 present, GARRA, individually and while doing business as TERAGAR PROPERTY
27 MANAGEMENT, has engaged in the business of, acted in the capacity of, advertised or

1 assumed to act as a real estate broker in the State of California, within the meaning of Code
2 Section 10131(b). GARRA's activities included, but are not limited to, the lease or rent or offer to
3 lease or rent, place for rent, solicit listings of places for rent, solicit for prospective tenants,
4 negotiate the sale, purchase or exchanges of leases on real property, or on a business opportunity,
5 collect rents from real property, or improvements thereon, or from business opportunities, for
6 others, including but not limited to, Marie D. and Don F.

7 5. GARRA and TERAGAR PROPERTY MANAGEMENT's acts as described
8 in Paragraph 4, above, are acts requiring a real estate broker license under the provisions of Code
9 Section 10131(b).

10 6. GARRA and TERAGAR PROPERTY MANAGEMENT violated Code
11 Section 10130 by engaging in the activities described in Paragraph 4, above, without first
12 obtaining a real estate broker license from the Department.

13 CONCLUSIONS OF LAW

14 Based on the information contained in Paragraphs 1 through 6, above,
15 RAYMOND HAMILTON GARRA II and TERAGAR PROPERTY MANAGEMENT violated
16 Code Section 10130 by engaging in activities requiring a real estate license without first
17 obtaining a broker license from the Department or acting as a salesperson under the employment
18 of a licensed real estate broker.

19 DESIST AND REFRAIN ORDER

20 NOW, THEREFORE RAYMOND HAMILTON GARRA II and TERAGAR
21 PROPERTY MANAGEMENT, ARE ORDERED TO DESIST AND REFRAIN from
22 performing any and all acts within the State of California for which a real estate broker license is
23 required, individually and under any fictitious name unless and until RAYMOND HAMILTON
24 GARRA II and TERAGAR PROPERTY MANAGEMENT obtain a real estate broker license
25 from the Department including a license to do business under a fictitious name.

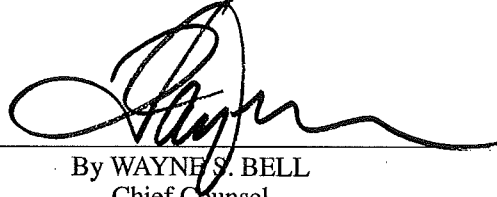
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2 DATED:

June 5, 2012

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4 Real Estate Commissioner

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7 By WAYNE S. BELL
Chief Counsel

8 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
9 real estate broker or real estate salesperson without a license or who advertises using words
10 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
11 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
12 imprisonment in the county jail for a term not to exceed six months, or by both fine and
13 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
14 (\$60,000)."

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