

NOV 22 2013

By Alfonso

STATE OF CALIFORNIA

In the Matter of the Accusation of)
) NO. H-38587 LA
 MILLER KIDEYS INC,)
)
 Respondent.)
)

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on July 11, 2013 and the findings of fact set forth herein are based on one or more of the following: (1) Respondent MILLER KIDEYS INC's express admissions; (2) affidavits; and (3) other evidence.

On November 28, 2012, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed by certified mail, return receipt requested, and by regular mail to both Respondent's last known mailing address on file with the Bureau on December 5, 2012.

Respondent filed a Notices of Defense. Respondent was duly notified of the hearing, which was scheduled for June 27, 2013. Respondent failed to appear at the June 27, 2013 hearing. On July 11, 2013, Respondent's default was entered herein.

2.

Respondent is presently licensed and/or has license rights under Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code") as a real estate corporation. Respondent has not had a designated broker-officer since May 17, 2011.

3.

Beginning at an unknown time and continuing to at least September 11, 2012, Respondent solicited borrowers to negotiate loans secured by real property on a website located at <http://www.millerkideys.com>. On May 30, 2012, Veronica K. called the phone number listed on this website and talked to an Ian Tamer Kideys, an unlicensed individual who offered to negotiate a loan.

4.

The website at <http://www.millerkideys.com> falsely claimed that Respondent had the license number "364585" registered with the National Mortgage Licensing System ("NMLS"). This license number does not exist with the NMLS and Respondent has never been licensed with the NMLS in any capacity.

DETERMINATION OF ISSUES

1.

Solicitation of borrowers to negotiate loans secured by real property is activity requiring a real estate broker license, pursuant to Code Section 10131(d). Since Respondent had no broker after May 17, 2011, the continued solicitation of borrowers through Respondent's website, as described in Finding 3 above, violates Code Section 10130 and subjects Respondent's real estate license and license rights to suspension or revocation pursuant to Code Sections 10177(d) and/or 10177(g).

2.

The listing of a false license number by Respondent, as described in paragraph IV above, violates Code Section 10140.6(b) and subjects its real estate license and license rights to suspension or revocation pursuant to Sections 10176(a), 10177(d) and/or 10177(g) of the Code.

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The licenses and license rights of Respondent MILLER KIDEYS INC under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on DEC 13 2013.

DATED: NOV 07 2013.

Real Estate Commissioner

A handwritten signature in black ink, consisting of several vertical strokes and a large loop, positioned above a horizontal line.

By: JEFFREY MASON
Chief Deputy Commissioner

1 Department of Real Estate
2 320 West Fourth Street, Suite 350
3 Los Angeles, CA 90013
4
5 (213) 576-6982

FILED

JUL 11 2013

BUREAU OF REAL ESTATE

By Laura B. [Signature]

6 BEFORE THE DEPARTMENT OF REAL ESTATE

7 STATE OF CALIFORNIA

8 * * *
9 In the Matter of the Accusation of)

) NO. H-38587 LA

10 MILLER KIDEYS INC,)

) DEFAULT ORDER

11 Respondent.)
12)

13
14 Respondent MILLER KIDEYS INC filed a Notice of
15 Defense within the time required by Section 11506 of the
16 Government Code. A hearing was set for June 27, 2013.
17 Respondent was duly notified of the hearing but failed to
18 appear. Respondent is now in default. It is therefore,
19 ordered that a default be entered on the record in this
20 matter.

21 IT IS SO ORDERED

July 8, 2013

22 WAYNE S. BELL
23 Real Estate Commissioner

24
25 By:

Dolores Weeks

26 DOLORES WEEKS
27 Regional Manager