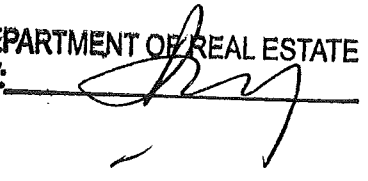


*Search*

1 Department of Real Estate  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013  
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5 Telephone: (213) 576-6982  
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**FILED**

AUG 29 2013

DEPARTMENT OF REAL ESTATE  
BY: 

8 DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \* \* \*

|                                      |   |                          |
|--------------------------------------|---|--------------------------|
| 11 To:                               | ) | No: H-39020 LA           |
|                                      | ) |                          |
| 12 JAMES MICHAEL MURDOCK and         | ) | <u>ORDER TO DESIST</u>   |
| 13 LA CUMBRE MANAGEMENT COMPANY INC. | ) | <u>AND REFRAIN</u>       |
|                                      | ) |                          |
| 14                                   | ) | (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 JAMES MICHAEL MURDOCK and LA  
17 CUMBRE MANAGEMENT COMPANY INC. Based on that investigation, the Commissioner  
18 has determined that JAMES MICHAEL MURDOCK and LA CUMBRE MANAGEMENT  
19 COMPANY INC. and have engaged in, are engaging in, or are attempting to engage in, acts or  
20 practices constituting violations of the California Business and Professions Code ("Code"),  
21 including acting in the capacity of, advertising and/or assuming to act as a real estate broker in  
22 the State of California within the meaning of Code Section 10131(b) (leasing or renting, or  
23 offering to lease or rent, soliciting prospective tenants, and collecting rents on behalf of others in  
24 expectation of compensation.) Based on that investigation, the Commissioner hereby issues the  
25 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the  
26  
27

1 authority of Section 10086 of the Code.

2 Whenever acts referred to below are attributed to JAMES MICHAEL  
3 MURDOCK and/or to LA CUMBRE MANGEMENT COMPANY INC. , those acts are alleged  
4 to have been done by that individual or entity acting by themselves, or by and/or through one or  
5 more officers, employees, or agents, including but not limited to the individuals herein named.

6  
7 FINDINGS OF FACT

8 *Individuals and Entities*

9 1. JAMES MICHAEL MURDOCK ("MURDOCK") is not presently licensed  
10 by the Department of Real Estate ("Department") as a real estate salesperson or real estate  
11 broker. Between 1988 and 1992, MURDOCK was licensed as the designated broker-officer of  
12 LA CUMBRE MANAGEMENT COMPANY INC. MURDOCK's broker-officer license  
13 expired on or about April 6, 1992, and has never been reinstated.

14 2. LA CUMBRE MANAGEMENT COMPANY INC. ("LA CUMBRE") is a  
15 California corporation. MURDOCK is the president of LA CUMBRE. Effective on or about  
16 November 16, 2012, LA CUMBRE's corporate status was suspended by the California  
17 Secretary of State.

18 3. Between 1988 and 1992, LA CUMBRE was licensed by the Department as a  
19 corporate real estate broker. MURDOCK was LA CUMBRE's broker-officer designated  
20 pursuant to Code Section 10159.2 to be responsible for ensuring LA CUMBRE's compliance  
21 with the Real Estate Law. LA CUMBRE's corporate real estate broker license expired on or  
22 about April 6, 1992, and has never been reinstated.

23 4. At times relevant herein, LA CUMBRE operated out of office located at 100  
24 N. Hope Ave, Suite 1, Santa Barbara, CA 93110-1686.

25 *Unlicensed Property Management Activity*

26 5. Beginning on or before January 10, 2005, and continuing through the present  
27 time, LA CUMBRE and MURDOCK advertised and solicited tenants through print and  
electronic media, offering to provide property management services for landlords and rentals for

1 tenants for a fee. In addition, LA CUMBRE and MURDOCK actually performed property  
2 management activities for owners of rental property for a fee. The property management  
3 activities performed by LA CUMBRE and MURDOCK have included acting on behalf of the  
4 owners of Arroyo Mobilehome Park, negotiating leases with tenants, collecting rents, making  
5 disbursements of rents and maintaining property in exchange for a monthly fee. In addition, LA  
6 CUMBRE advertised its property management services in local publications.

7 6. At the time that MURDOCK and LA CUMBRE engaged in property  
8 management activities, they were not licensed by the Department in any capacity.

9 CONCLUSIONS OF LAW

10 1. The collection of rents, solicitation and negotiation of leases and management  
11 of rental property on behalf of property owners for a fee are acts for which a real estate license  
12 is required, as set forth in Business and Professions Code Section 10131(b).

13 2. As described in the Findings of Fact set forth above, MURDOCK and LA  
14 CUMBRE performed property management services which require a real estate license during a  
15 period of time when neither MURDOCK nor LA CUMBRE were licensed by the Department in  
16 any capacity.

17 3. The conduct of JAMES MICHAEL MURDOCK and of LA CUMBRE  
18 MANGEMENT COMPANY INC is in violation of Business and Professions Code Section  
19 10130.

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