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**FILED**

**JAN 15 2014**

**BUREAU OF REAL ESTATE**

By Norma Sminius

1 JAMES DEMUS, Counsel (SBN 225005)  
 2 Bureau of Real Estate  
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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H- 39270 LA
	)	
LAUREN KERR LAYTON,	)	<u>A C C U S A T I O N</u>
	)	
Respondent.	)	
	)	

The Complainant, Veronica Kilpatrick, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against LAUREN KERR LAYTON, alleges as follows:

I

The Complainant, Veronica Kilpatrick, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against LAUREN KERR LAYTON.

II

LAUREN KERR LAYTON (hereinafter referred to as "Respondent") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business

1 and Professions Code, hereinafter "Code") as a real estate  
2 broker.

3 III

4 On July 29, 2013, a special investigator from the  
5 Bureau of Real Estate (hereinafter "Bureau") visited the website  
6 <http://www.myrentabroker.com>. The website advertised itself as  
7 "the EASY way to start doing lucrative mortgage and real estate  
8 sales business in the State of California!" The website further  
9 stated that it was specifically for:

10 "1. Out-of State Mortgage Brokers who wish to do  
11 business in California and who don't have time to go  
12 through the licensing process.

13 2. Experienced licensed California Sales Agents who  
14 would like to keep 100% of their commissions. We take  
15 you step by step through the process of 'renting' you  
16 our California Broker's license and then making it easy  
17 for you to pick the right lenders, get approved, and  
18 know where to send your loans for quick approval".

19 The address listed on the website was PO Box 805,  
20 Corona Del Mar, CA, 92625. This was the same address Respondent  
21 had registered with the Bureau as her mailing address. The phone  
22 number listed on the website was also registered with the Bureau  
23 as Respondent's phone number.

24 IV

25 On July 2, 2010, the Bureau sent a letter to  
26 Respondent, advising her that [www.myrentabroker.com](http://www.myrentabroker.com) violated Code  
27 Section 10157 and asking her to correct this violation. On July  
28 24, 2013, Respondent left a voicemail with the Bureau in which  
29 she acknowledged the existence of [www.myrentabroker.com](http://www.myrentabroker.com), but

1 refused to take the website down. As of October 24, 2013, the  
2 website was still operating.

3 V

4 Pursuant to Code Section 10157, only the licensee to  
5 whom a license is issued has authority to do acts for which that  
6 license is required. Pursuant to Code Section 10130, it is  
7 unlawful to engage in the business of a real estate broker within  
8 this state without having obtained a license endorsement.  
9 Therefore, the conduct, acts and omissions of Respondent, as  
10 alleged above, subjects her real estate license and license  
11 rights to suspension or revocation pursuant to Sections 10177(d)  
12 and/or 10177(g) of the Code.

13 VI

14 By offering to falsely represent individuals as  
15 licensed under the employ of a California real estate broker,  
16 Respondent engaged in dishonest dealing, which subjects her real  
17 estate license and license rights to suspension or revocation  
18 pursuant to Sections 10177(j).

19 VII

20 Code Section 10106, provides, in pertinent part, that  
21 in any order issued in resolution of a disciplinary proceeding  
22 before the Bureau, the Commissioner may request the  
23 administrative law judge to direct a licensee found to have  
24 committed a violation of this part to pay a sum not to exceed the  
25 reasonable costs of the investigation and enforcement of the  
26 case.

27

1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and license rights of Respondent  
5 LAUREN KERR LAYTON under the Real Estate Law, that Complainant be  
6 awarded its costs of investigation and prosecution of this case  
7 and for such other and further relief as may be proper under the  
8 provisions of law.

9 Dated at San Diego, California  
10 this 13 day of January, 2014

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13   
14 VERONICA KILPATRICK  
15 Deputy Real Estate Commissioner  
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23  
24

25 cc: Lauren Kerr Layton  
26 Veronica Kilpatrick  
27 Sacto.