

1 Bureau of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

3 Telephone: (213) 576-6982

FILED

JUL 10 2015

BUREAU OF REAL ESTATE

By 

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

11 To:) No. H-39909 LA
12)
13 CHEHAB ELAWAR, individually, and) ORDER TO DESIST
14 doing business as Above and Beyond) AND REFRAIN
15 Real Estate Investment, BRICIA) B&P Code Section 10086)
ELAWAR, and MIRELLA MONTES)
_____)

16
17 The Commissioner ("Commissioner") of the California Bureau of Real Estate
18 ("Bureau") caused an investigation to be made of the activities of CHEHAB ELAWAR
19 ("ELAWAR"), individually, and doing business as Above and Beyond Real Estate Investment,
20 BRICIA ELAWAR ("BRICIA") and MIRELLA MONTES ("MONTES"), and has determined
21 that each has engaged in or is engaging in acts or practices constituting violations of the
22 California Business and Professions Code ("Code") including engaging in the business of, acting
23 in the capacity of, advertising, or assuming to act, as real estate brokers in the State of California
24 within the meaning of Code Section 10131(b) (leasing or renting or offering to lease or to rent or
25 soliciting for prospective tenants or collecting rents from real property or improvements thereon).
26
27 Based on the findings of that investigation, as set forth below, the Commissioner hereby issues

1 the following Findings of Fact and Desist and Refrain Order pursuant to Section 10086 of the
2 Code.

3 FINDINGS OF FACT

4 1. At no time have ELAWAR, BRICIA and MONTES been licensed by the
5 Bureau in any capacity.

6 2. From in or around October, 2009, to the present time ELAWAR, BRICIA and
7 MONTES engaged in the business of and/or acted in the capacity of property managers, offering
8 to perform and performing the rental of the real property and collection of rents and security
9 deposits for real property on behalf of others for compensation or in expectation of
10 compensation.
11

12 3. The property management activities described in Paragraph 2, above, were
13 performed using the unlicensed fictitious business name "Above and Beyond Real Estate
14 Investment."
15

16 4. BRICIA and MONTES solicited for prospective tenants, negotiated leases on
17 real property, signed property management and tenants' agreements as agents for the property
18 management business, collected rents for real property and made disbursements of trust funds.
19

20 CONCLUSION OF LAW

21 5. Based on the information contained in Paragraphs 1 through 4, above,
22 ELAWAR, BRICIA and MONTES performed and/or participated in real property management
23 activities, including renting or offering to rent real property and collecting rental payments
24 thereon, activities requiring a real estate broker license under the provisions of Code Section
25 10131(b), during a period of time when none of them were licensed by the Bureau as a real
26 estate broker, nor employed as a real estate salesperson by a broker on whose behalf the
27

1 activities were performed, all in violation of Section 10130 of the Code.

2 DESIST AND REFRAIN ORDER

3 Based upon the FINDINGS OF FACT and CONCLUSION OF LAW stated
4 herein, CHEHAB ELAWAR, individually, and doing business as Above and Beyond Real
5 Estate Investment, BRICIA ELAWAR and MIRELLA MONTES ARE HEREBY ORDERED
6 to immediately desist and refrain from performing any acts within the State of California for
7 which a real estate broker license is required.
8

9 DATED: July 6, 2015

11 Real Estate Commissioner

12 

14 By: JEFFREY MASON
15 Chief Deputy Commissioner

16 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
17 real estate broker or real estate salesperson without a license or who advertises using words
18 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
19 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
20 imprisonment in the county jail for a term not to exceed six months, or by both fine and
21 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
22 (\$60,000)."

23
24 cc: Above and Beyond Real Estate Investment
25 Chehab Elawar
26 Bricia Elawar
27 Mirella Montes
Sacto.