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Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012
(213) 897-3937

FILED
DEC - 1 1995
DEPARTMENT OF REAL ESTATE

By Laura B. Orsano

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To:)	No. H-26366 LA
)	
HEYMING & JOHNSON INC.,)	<u>ORDER TO DESIST</u>
FRANK TOBIAS HEYMING)	
individually and as)	
Designated Officer for)	<u>AND REFRAIN</u>
Heyming & Johnson Inc.)	
and LYDIA CARO)	
)	
)	
)	

The Real Estate Commissioner of the State of California (hereinafter the Commissioner) has caused an investigation to be made of your activities requiring a real estate license, and based upon the findings of that investigation, as set forth below, is of the opinion that you, HEYMING & JOHNSON INC., and you FRANK TOBIAS HEYMING have violated Business and Professions Code Section 10137 (hereinafter the Code). You LYDIA CARO have violated Code Section 10130.

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At all times mentioned herein you, HEYMING & JOHNSON INC. (herein "HJI"), have been licensed by the Department of Real Estate (Department) as a corporate real estate broker.

2

At all times mentioned herein you FRANK TOBIAS HEYMING, (herein "HEYMING"), have been licensed by the Department as a real estate broker and Designated Officer of HJI.

3

At all times herein mentioned, you and each of you engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Section 10131(b) of the Code, including the operation of a property management business whereby you lease or rent or offer to lease or rent, or place for rent, or solicit listings of places for rent, or solicit for prospective tenants, or negotiate the sale, purchase or exchange of leases on real property, or on a business opportunity, or collect rents from real property, or improvements thereon, or from business opportunities, for another or others, for or in expectation of compensation.

4

You, LYDIA CARO (herein "CARO") have never been licensed by the Department.

5

All further references herein to "You" includes the parties identified in Paragraphs 1 to 4 above, and also includes

1 the officers, directors, employees, agents and real estate
2 licensees employed by or associated with said parties and who at
3 all times herein mentioned were engaged in the furtherance of
4 the business or operations of said parties and who were acting
5 within the course and scope of their authority and employment.

6 UNLICENSED ACTS BY CARO

7 6

8 Beginning on or about February 9, 1994, while employed
9 as an agent of HEYMING & JOHNSON, INC., in the course of the
10 activities described in Paragraph 3, you CARO solicited a
11 prospective tenant and offered to lease property (house) located
12 at 12821 Mead Court, Moreno Valley, CA to Sandra Hernandez. You,
13 CARO thereafter negotiated a rent agreement for Sandra Hernandez
14 to lease Mead Ct. property at a monthly rate of \$700.00. You then
15 accepted the first months rent of \$700.00. You also accepted
16 Money Order # 148090 in the amount of \$439.00. These amounts were
17 accepted in return for Hernandez beginning tenancy in Mead Court
18 as soon as possible.

19 7

20 The activities, above, are those of a real estate broker
21 as described in Sections 10131(b). You, CARO, violated Section
22 10130 of the Code by performing the acts described in Paragraph 6,
23 above, without first obtaining a real estate license.

24 8

25 You, HEYMING & JOHNSON INC., and you, FRANK TOBIAS
26 HEYMING violated Section 10137 of the Code by employing and
27 compensating unlicensed person CARO to perform acts which require

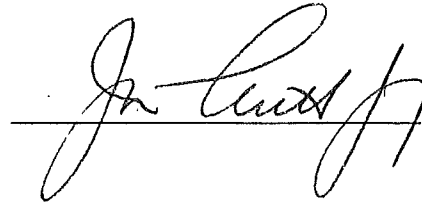
1 comp y unlicensed person CARO to perform acts which require
2 a real estate license as set for above in paragraph 6.

3 NOW, THEREFORE, YOU, LYDIA CARO ARE ORDERED TO DESIST
4 AND REFRAIN from all conduct requiring a real estate license
5 unless and until you are licensed as a real estate broker or as a
6 real estate salesperson employed by a real estate broker.

7 In addition, you, HEYMING & JOHNSON and you FRANK
8 TOBIAS HEYMING ARE ORDERED TO DESIST AND REFRAIN from all conduct
9 requiring a real estate license unless and until you desist from
10 employing or compensating, directly or indirectly, any person for
11 performing any of the acts within the meaning of Section 10131(b)
12 of the Code for which a real estate license is required until such
13 person is licensed by the Department as a real estate broker or a
14 real estate salesperson; and engaging in any activity within the
15 meaning of Section 10131(b) of the Code for which a real estate
16 license is required unless and until you comply with Section 10137
17 of the Code.

18
19
20 DATED: 11-20, 1995.

21 JIM ANTT, JR.
22 Real Estate Commissioner

23 
24

25 cc: Lydia Caro
26 c/o Heyming & Johnson Inc.,
27 7130 Magnolia Avenue, Suite N
Riverside, CA 92504

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Frank Tobias Heyming
c/o Heyming & Johnson Inc.,
7130 Magnolia Avenue, Suite N
Riverside, CA 92504

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7130 Magnolia Avenue, Suite N
Riverside, CA 92504

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