

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0791

FILED

MAR - 5 2009

DEPARTMENT OF REAL ESTATE

By B. Contreras

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 TO: )  
13 )  
14 GEOFFREY SMITH, and )  
15 ZUBIRYOR PROPERTIES. )

NO. H-5172 SAC

ORDER TO  
DESIST AND REFRAIN  
(B&P Code 10085.5)

16 The Real Estate Commissioner of the State of California (hereinafter  
17 "Commissioner") has caused an investigation to be made of your activities and based upon the  
18 findings herein below set forth, is of the opinion that you, GEOFFREY SMITH, and you,  
19 ZUBIRYOR PROPERTIES have violated Section 10130 of the California Business and  
20 Professions Code (hereinafter the "Code") by engaging in the business of or acting as a real  
21 estate salesperson or broker, within the meaning of Sections 10085.5, 10130, and 10131(a) and  
22 (d) of the Code without first having obtained a real estate license from the California Department  
23 of Real Estate (hereinafter the "Department").

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25 At no time herein mentioned were you, GEOFFREY SMITH, and you,  
26 ZUBIRYOR PROPERTIES, licensed by the Department as a real estate broker or salesperson, as  
27 appropriate.

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At all times herein mentioned you, GEOFFREY SMITH, and you, ZUBIRYOR PROPERTIES, were compensated for performing acts in furtherance of the activities discussed in Paragraph 3 below.

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During the period from about June 2006 through June 2007, you, GEOFFREY SMITH, and you, ZUBIRYOR PROPERTIES, among other things, sold or offered to sell, bought or offered to buy, solicited prospective sellers or purchasers of, solicited or obtained the listing of, or negotiated the purchase, sale or exchange of real property, including but not limited to, engaging in these activities regarding the real property commonly known as 8847 Salmon Falls Drive, Sacramento, California.

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During the period from about June 2006 through June 2007, you, GEOFFREY SMITH, and you, ZUBIRYOR PROPERTIES, among other things, solicited and/or performed services for borrowers, including but not limited to, Kelson and Lauetauyzcha Patterson, in connection with loans secured directly or collaterally by liens on real property or on a business opportunity, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for an advanced fee for such services.

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The acts you, GEOFFREY SMITH, and you, ZUBIRYOR PROPERTIES, performed, for or in expectation of compensation, described in Paragraphs 3 and 4, above, as well as, the claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, are acts requiring a real estate salesperson or broker license under the provisions of Sections 10130 and 10131(d) of the Code and Section 10085.5 of the Code, respectively.

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You, GEOFFREY SMITH, and you, ZUBIRYOR PROPERTIES, violated Sections 10085.5 and 10130 of the Code by engaging in the activities described above in Paragraphs 3 and 4 without first obtaining a real estate salesperson or broker license from the Department.

NOW THEREFORE, YOU, GEOFFREY SMITH, AND YOU, ZUBIRYOR PROPERTIES, ARE HEREBY ORDERED TO DESIST AND REFRAIN from performing any and all acts for which a real estate license is required until such time as you obtain the required license from the Department.

DATED: \_\_\_\_\_ 3/3, 2009

JEFF DAVI  
Real Estate Commissioner



cc: GEOFFREY SMITH  
P. O. Box 601554  
Sacramento, CA 95860

ZUBIRYOR PROPERTIES  
ATTN: GEOFFREY SMITH  
P. O. Box 601554  
Sacramento, CA 95860

ZUBIRYOR PROPERTIES  
Attn: Incorp Services, Inc.  
Agent for service of process  
375 N. Stephanie Street, Suite 1411  
Henderson, NV 89014-8909