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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: Patrick B. Kirkland, President and Owner
Heather Showalter, Sales Executive
Tropical Village, Inc.
4700 Millenia Blvd., Suite. 340
Orlando, Florida 32839
Phone: 407-354-0004
Fax: 407-354-1112

DESIST AND REFRAIN ORDER
(For violations of section 25110 of the Corporations Code)

The California Corporations Commissioner finds that:

1. Tropical Village, Inc. is a company which maintains its office at 4700 Millenia Blvd., Suite 340, Orlando, Florida 32839. Patrick B. Kirkland is its president and owner. Heather Showalter is its sales executive. The company maintains a website at www.tropicalvillage.com.
2. During the period of at least August, 2004 to the present, Tropical Village, Inc. has been offering investments by means of general solicitation in the form of advertisements in publications including Money Magazine and the Los Angeles Times. The advertisements offer projected returns of 29% to 35% from purchase and rental of “New Investment Senior Triplexes” at complexes in Florida, Georgia and Texas, including Pelican Bay Club in Palm Bay, Florida, Summerhill in Atlanta, Georgia, and Sunset Bay Club in New Port Richey, Florida.

1 3. Prospective investors are told that the purchase price of each senior triplex is \$733,000 in
2 Florida and Georgia and \$795,000 in Texas. But prospective investors in the Pelican Bay Club in
3 Palm Bay, Florida, are promised that for just ten percent of that amount, or \$73,300, they can
4 purchase a senior triplex that will be managed and rented for them by a professional management
5 company. Investors are promised that:

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7 The staff will be responsible for advertising, showing potential residents the available
8 bedrooms, and soliciting contractors to repair and maintain the interiors, exteriors, and
9 grounds. Each owner will not be required to be involved in the day-to-day operations of the
10 triplex. The book keeping [sic] will be handled by a bookkeeping company, which will be
11 responsible for collecting rent, paying bills and remitting checks to the investor(s). This is
12 absentee ownership at its best!

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14 4. Prospective investors in Pelican Bay Club in Palm Bay, Florida are provided a one-page
15 “estimated cash flow” projecting an annual net estimated profit of \$24,537.00, from each senior
16 triplex investment following mortgage loan, expense, and management expenses. Prospective
17 investors are promised that they will receive:

18
19 a monthly report detailing the expenses with his or her triplex with the check for the net fee
20 income for that period. We believe your investigation will lead you to conclude that this is a
21 GREAT OPPORTUNITY!

22
23 5. Tropical Village, Inc. is not registered with the California Secretary of State as a company
24 doing business in the state of California.

25
26 6. The Department of Corporations has not issued a permit or other form of qualification
27 authorizing Tropical Village, Inc. to offer investments relating to the ownership and operation of
28 senior triplexes.

