

FILED

MAY 04 2015

BUREAU OF REAL ESTATE

By A. Haakensen

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of:

YEVGENIY ZAZHITSKIY,

Respondent.

No. H-6194 SAC

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on April 7, 2015, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are enclosed for the information of Respondent.

FINDINGS OF FACT

1

On December 15, 2014, TRICIA D. PARKHURST, made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California against Respondent YEVGENIY ZAZHITSKIY (hereinafter "Respondent"). The Accusation, Statement to Respondent, and Notice of Defense were mailed, by regular and certified mail, to Respondent's last known mailing address on file with the Bureau on January 6, 2015.

On April 7, 2015, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate broker.

3

On or about December 4, 2013, in the United States District Court for the Eastern District of California, Case Number 2: 13-cr-00059-KJM-1, Respondent was convicted of violating Title 19, United States Code §§ 1341 and 1342 (mail fraud) a felony which bears a substantial relationship under Section 2910, Title 10 of the California Code of Regulations (hereinafter "Regulations"), to the qualifications, functions or duties of a real estate licensee.

4

A diligent search was made of the records of the Bureau of Real Estate (hereinafter "Bureau") relating to Respondent's real estate salesperson license number 01429956. As a result of said search, no record was discovered having been received from Respondent notifying the Bureau, in writing, of any arrest, conviction, indictment or license disciplinary action occurring on or after January 1, 2012, in violation of Section 10186.2 of the Code.

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondent exists pursuant to Sections 490 and 10177(b) of the Code, in conjunction with Section 2910 of the Regulations, and Section 10177(d) of the Code, in conjunction with Section 10186.2 of the Code.

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

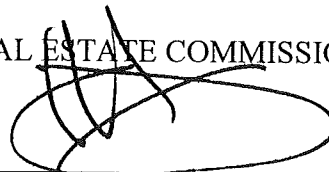
ORDER

All licenses and licensing rights of Respondent YEVGENIY ZAZHITSKIY under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on MAY 12 2015.

DATED: APR 21 2015

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

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