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FILED

NOV 01 2018

DEPARTMENT OF REAL ESTATE

By X. X. X.

8
9 **BEFORE THE DEPARTMENT OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 * * *

12 In the Matter of the Accusation of)

13 HENRI HAFEZ PESSAH,)

14 Respondent.)

No. H-12319 SF

ACCUSATION

15 The Complainant, ROBIN S. TANNER, a Supervising Special Investigator of the
16 State of California, for cause of Accusation against HENRI HAFEZ PESSAH, (Respondent), is
17 informed and alleges as follows:

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19 Complainant makes this Accusation against Respondent in her official capacity.

20 2

21 At all times herein mentioned, Respondent was and is presently licensed and/or
22 has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and
23 Professions Code (the Code) by the Department of Real Estate (the Department) as a real estate
24 salesperson.

25 3

26 On or about July 10, 2018, in the United States District Court, Northern District of
27 California, Case No. CR-11-00802-001, Respondent was convicted of violating 15 USC 1 (bid

1 rigging), a felony, and a crime which bears a substantial relationship under Section 2910, Title
2 10, California Code of Regulations to the qualifications, functions, or duties of a real estate
3 licensee.

4 4

5 The conviction alleged in Paragraph 3, above, constitutes cause under Sections
6 10177(b) (further grounds for disciplinary action-conviction of crime) and 490 (conviction of
7 substantially related crime) of the Business and Professions Code (the Code) for suspension or
8 revocation of Respondent's license under the Real Estate Law.

9 5

10 Section 10106 of the Code provides, in pertinent part, that in any order issued
11 in resolution of a disciplinary proceeding before the Department, the Commissioner may request
12 the administrative law judge to direct a licensee found to have committed a violation of this part
13 to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

14 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
15 of this Accusation and that upon proof thereof, a Decision be rendered imposing disciplinary
16 action against all licenses and license rights of Respondent under the Code, for the reasonable
17 costs of investigation and prosecution of this case, including agency attorney's fees and for such
18 other and further relief as may be proper under provisions of law.

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20 
21 ROBIN S. TANNER
Supervising Special Investigator

22 Dated at Oakland, California
23 this 25th day of October, 2018.