

FILED

DEC 04 2013

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

BUREAU OF REAL ESTATE
By

In the Matter of the Accusation of)
)
 SUSHAMA D. LOHIA,) NO. H-38327 LA
)
 Respondent.)
 _____)

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 November 21, 2013, and the findings of fact set forth herein 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 or to the reduction of a suspension 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 attached hereto for the information of Respondent.

FINDINGS OF FACT

1.

On July 26, 2012, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed by certified mail, return receipt requested, to Respondent at his address of record on August 8, 2012. On or about August 17, 2012, the certified mail was returned to the Bureau of Real Estate ("Bureau") as not deliverable. Thereafter, on August 17, 2012, service was again attempted by regular mail.

On November 21, 2013, 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 was originally issued a real estate broker license by the Bureau on October 30, 2000.

3.

On or about April 20, 2012, in the Superior Court of California, County of Orange, in Case No. 10CF0477, Respondent was convicted of violating 12 counts of Penal Code Section 182(a)(1)(Conspiracy to Commit a Crime), 25 counts of Penal Code Section 470(d) (Forgery), 14 counts of Penal Code Section 487(a)(Grand Theft), four counts of Penal Code Section 530.5(a)(Identity Theft), four counts of Penal Code Section 115(a)(Recording a False or Forged Instrument), and two counts of Penal Code Section 470(a)(Forgery), all with the enhancement of Penal Code Section 186.11(a)(2)(Aggravated White Collar Crime over \$500,000), all felonies.

4.

The evidence established that the crimes of which Respondent was convicted, as set forth above, are substantially related to the qualifications, functions and duties of a real estate licensee.

DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 490 and 10177(b).

2.

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

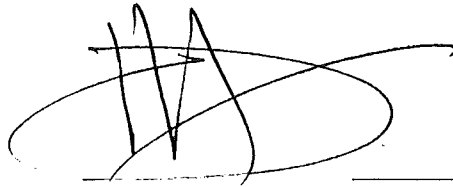
ORDER

The license and license rights of Respondent, SUSHAMA D. LOHIA, 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 **DEC 26 2013**.

DATED: **NOV 27 2013**.

Real Estate Commissioner

A handwritten signature in black ink, appearing to be 'JM', is written over a horizontal line. The signature is stylized and somewhat abstract.

By: **JEFFREY MASON**
Chief Deputy Commissioner

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BUREAU OF REAL ESTATE

By *John Clark*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	NO. H-38327 LA
SUSHAMA D. LOHIA,)	
)	<u>DEFAULT ORDER</u>
Respondent.)	
)	

Respondent, SUSHAMA D. LOHIA, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED NOVEMBER 21, 2013.

Real Estate Commissioner

By: *Phillip Ihde*
PHILLIP IHDE
Regional Manager