

1 3. Respondent filed a Notice of Defense pursuant to Section 11506 of the
2 Government Code for the purpose of requesting a hearing on the allegations in the First
3 Amended Accusation. Respondent hereby freely and voluntarily withdraws said Notice of
4 Defense. Respondent acknowledges that Respondent understands that by withdrawing said
5 Notice of Defense, Respondent will thereby waive Respondent's right to require the Real Estate
6 Commissioner ("Commissioner") to prove the allegations in the First Amended Accusation at a
7 contested hearing held in accordance with the provisions of the APA and that Respondent will
8 waive other rights afforded to Respondent in connection with the hearing such as the right to
9 present evidence in defense of the allegations in the Accusation and the right to cross-examine
10 witnesses.

11 4. Respondent, pursuant to the limitations set forth below, hereby admits
12 that the factual allegations in the First Amended Accusation filed in this proceeding are true
13 and correct and the Commissioner shall not be required to provide further evidence to prove
14 such allegations.

15 5. It is understood by the parties that the Real Estate Commissioner may
16 adopt the Stipulation as his Decision in this matter, thereby imposing the penalty and sanctions
17 on Respondent's real estate license and license rights as set forth in the below Order. In the
18 event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void
19 and of no effect, and Respondent shall retain the right to a hearing and proceeding on the First
20 Amended Accusation under all the provisions of the APA and shall not be bound by any
21 admission or waiver made herein.

22 6. The Order or any subsequent Order of the Commissioner made pursuant
23 to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
24 civil proceedings by the Department with respect to any matters which were not specifically
25 alleged to be causes for the First Amended Accusation in this proceeding.

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1 3. Respondent shall not be eligible to apply for the issuance of an
2 unrestricted real estate broker license nor for the removal of any of the conditions, limitations
3 or restrictions of a restricted license until at least **three (3) years** have elapsed from the
4 effective date of this Decision and Order.

5 4. Respondent shall, within nine (9) months from the effective date of this
6 Decision and Order, present evidence satisfactory to the Commissioner that Respondent has,
7 since the most recent issuance of an original or renewal real estate license, taken and
8 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
9 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this
10 condition, Respondent's real estate broker license shall automatically be suspended until
11 Respondent presents evidence satisfactory to the Commissioner of having taken and
12 successfully completed the continuing education requirements. Proof of completion of the
13 continuing education courses must be delivered to the Department of Real Estate, Flag Section
14 at P.O. Box 137013, Sacramento, CA 95813-7013.


15 5. Respondent shall notify the Commissioner in writing within 72 hours of
16 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate,
17 Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the
18 date of Respondent's arrest, the crime for which Respondent was arrested and the name and
19 address of the arresting law enforcement agency. Respondent's failure to timely file written
20 notice shall constitute an independent violation of the terms of the restricted license and shall
21 be grounds for the suspension or revocation of that license.

22 6. Respondent shall pay the sum of **\$2,239.80** for the Commissioner's
23 reasonable cost of the investigation and enforcement which led to this disciplinary action. Said
24 payment shall be in the form of a cashier's check made payable to the Department of Real
25 Estate. **The investigative and enforcement costs must be delivered to the Department of**
26 **Real Estate, Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013, prior to the**
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1 **effective date of this Decision and Order.** Payment of investigation and enforcement costs
2 **should not be made until the Stipulation has been approved by the Commissioner.**

3 7. If Respondent fails to satisfy condition 6, above, Respondent's restricted
4 real estate broker license shall be suspended until Respondent presents evidence of payment.
5 The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the
6 Administrative Procedure Act to present such evidence that payment was timely made. The
7 suspension shall remain in effect until payment is made in full or until a decision providing
8 otherwise is adopted following a hearing held pursuant to this condition.

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10 DATED: 02/03/2021



Kathy Yi, Counsel
Department of Real Estate

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14 Respondent has read the Stipulation and Agreement and understands that
15 Respondent is waiving rights given to Respondent by the California Administrative Procedure
16 Act, (including but not limited to Sections 11521 and 11523 of the Government Code), and
17 Respondent willingly, intelligently, and voluntarily waives those rights, including the right to
18 seek reconsideration and the right to seek judicial review of the Commissioner's Decision and
19 Order by way of a writ of mandate.

20 Respondent agrees, acknowledges, and understands that Respondent cannot
21 rescind or amend this Stipulation and Agreement. Respondent can signify acceptance and
22 approval of the terms and conditions of this Stipulation and Agreement by electronically e-
23 mailing a copy of the signature page, as actually signed by Respondent, to the Department.
24 Respondent agrees, acknowledges, and understands that by electronically sending to the
25 Department an electronic copy of Respondent's actual signature, as it appears on the
26 Stipulation, that receipt of the emailed copy by the Department shall be as binding on
27 Respondent as if the Department had received the original signed Stipulation. By signing this

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1 Stipulation, Respondent understands and agrees that Respondent may not withdraw
2 Respondent's agreement or seek to rescind the Stipulation prior to the time the Commissioner
3 considers and acts upon it or prior to the effective date of the Stipulation and Order.

4 Respondent can signify acceptance and approval of the terms and conditions of
5 this Stipulation and Agreement by mailing the original signed Stipulation and Agreement to:
6 Kathy Yi, Department of Real Estate, 320 West 4th Street, Suite 350, Los Angeles, California
7 90013-1105.


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9 DATED: 1/25/2021


CYRUS AHMADI

Respondent

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13 I have reviewed the Stipulation and Agreement as to form and content, and have
14 advised my client accordingly.

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16 DATED: 1-26-21


Frank M. Buda, Counsel for Respondent

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20 The foregoing Stipulation and Agreement is hereby adopted by me as my
21 Decision in this matter as to Respondent CYRUS AHMADI and shall become effective at 12
22 o'clock noon on MAY 05 2021

23 IT IS SO ORDERED 3.1.21

24 DOUGLAS R. McCAULEY
25 REAL ESTATE COMMISSIONER

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