FLAG

JOHN W. BARRON (SBN 171246)
Department of Real Estate
P. O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0789
(916) 227-0792 (Direct)

FILED
MAR 12 2013
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of IN COMMON REAL ESTATE SERVICES WORLDWIDE, INC. and MOHAMAD FOUZI HAFFAR, Respondents.	No. H-4470 SD STATEMENT OF ISSUES

The Complainant, VERONICA KILPATRICK, in her capacity as a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues against IN COMMON REAL ESTATE SERVICES WORLDWIDE, INC. (hereinafter "IN COMMON") and MOHAMAD FOUZI HAFFAR (hereinafter "HAFFAR"), (collectively "Respondents"), is informed and alleges as follows:

1

HAFFAR 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 "the Code") as a real estate broker.

///

///

2

HAFFAR is presently licensed and/or has license rights under the Code as a mortgage loan originator.

3

On or about August 17, 2011, HAFFAR, on behalf of IN COMMON, made application to the State of California Department of Real Estate (hereinafter "the Department") for a corporate real estate license for IN COMMON with HAFFAR as the designated broker/officer.

FIRST CAUSE OF ACTION

4

On or about June 18, 2012, in the Superior Court of the State of California, County of Shasta, Case No. MCRDCRF110001683, HAFFAR was convicted of violating Civil Code Section 2944.7(a) (unlawful loan modification compensation), a misdemeanor and a crime which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

5

The facts alleged in Paragraph 4, above, constitute a cause for the denial of Respondents' application for a corporate real estate broker license pursuant to Sections 480(a) (Conviction of Crime, Relationship of Crime to Licensed Activity) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee) of the Code.

SECOND CAUSE OF ACTION

6

On or about December 22, 2011, a "Stipulation Re Facts, Conclusions of Law and Disposition and Order Approving" was entered into by HAFFAR and the State Bar of California, State of California, in Cases Nos. 10-O-08867, 10-O-08870, 10-O-08871, 10-O-10178, 10-O-10646, 10-O-11010, 10-O-11235, 11-O-10040, and 11-O-12522, involving HAFFAR's law

license. The Stipulation was based on HAFFAR's violation of six (6) counts of 1-300(A) (aiding the unauthorized practice of law), one (1) count of 1-300(C) (aiding the unauthorized practice of law), one count (1) of 1-310 (forming partnership with non-attorney), eight (8) counts of 1-400(C) (solicitation), seven (7) counts of 3-110(A) (failure to perform with competence), and eight (8) counts of 3-700(D)(2) (failure to promptly repay unearned advance fees) of the Rules of Professional Conduct; and six (6) counts of violating Section 6106.3 (violation of California Civil Code Section 2944.7(a)) of the Code. On or about December 22, 2011, a Judge of the State Bar Court signed an Order approving the stipulated facts and disposition in the Stipulation, and recommending approval of the agreement by the California Supreme Court. On or about June 21, 2012, the California Supreme Court issued its Order revoking HAFFAR's law license.

7

HAFFAR's acts, which resulted in the proceedings described in Paragraph 6, above, are acts, which if done by a real estate licensee, would be grounds for suspension or revocation of his California Real Estate License under Sections 10177(f) (license revocation by another agency for acts if done by real estate licensee would be grounds for revocation of real estate license), and 10177(g) (negligence or incompetence) and/or 10177(j) (fraud or dishonest dealing) of the Code.

8

The facts alleged in Paragraphs 6 and 7, above, constitute a cause for the denial of Respondents' application for a corporate real estate broker license pursuant to the provisions of Sections 10177(f), and 10177(g) and/or 10177(j) of the Code.

9

HAFFAR is currently the Respondent in a pending Accusation brought by the Department in Case Number H-4354 SD.

///

///

///

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a corporate real estate broker license to Respondents, and for such other and further relief as may be proper under other provisions of law.

VERONICA KILPATRICK
Deputy Real Estate Commissioner

Dated at San Diego, California,
this 6 day of March, 2013.