

MAY -4 1983

DEPARTMENT OF REAL ESTATE

by Laura B. Orora

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Application of)

No. H-947 SD

MUSHEER HAROON SHABAZZ, aka)

L-20873

Aaron Alexander Johnson, aka)

Aaron Johnson Page, aka)

Aaron Johnson Shabazz,)

Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On June 2, 1980, a Decision was rendered herein denying the respondent's application for a real estate broker license, but granting respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to respondent on June 24, 1980, and respondent has operated, parttime, as a restricted licensee without cause for disciplinary action against him since that time.

On January 26, 1982, respondent petitioned for the removal of restrictions attaching to his real estate broker license.

/

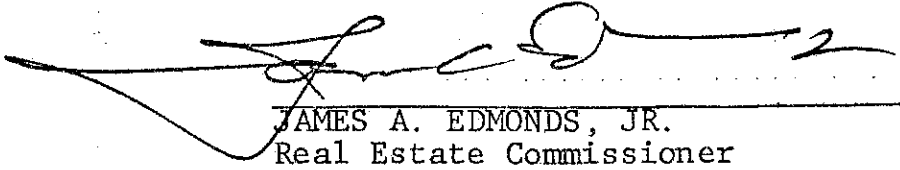
1 I have considered the petition of respondent and the
2 evidence submitted in support thereof including his record as a
3 restricted licensee. Respondent has demonstrated to my
4 satisfaction that he meets the requirements of law for the
5 issuance to him of an unrestricted real estate broker license and
6 that it would not be against the public interest to issue said
7 license to him.

8
9 NOW, THEREFORE, IT IS ORDERED that respondent's petition
10 for removal of restrictions is granted and that a real estate
11 broker license be issued to him if he satisfies the following
12 conditions within six (6) months from the date of this Order:

- 13 1. Submittal of a completed application and payment of
14 the fee for a real estate broker license.
15 2. Submittal of evidence of the completion of 45 hours
16 of approved continuing education offerings which shall include a
17 three-hour course in ethics, professional conduct, and legal
18 aspects of real estate within the four-year period immediately
19 preceding the date on which the evidence of completion is
20 submitted to the Department.

21 This Order shall be effective immediately.

22 DATED: MAY 2, 1983

23
24 
25 JAMES A. EDMONDS, JR.
Real Estate Commissioner

26 cc: Musheer Haroon Shabazz
27 2827 Buckingham Road
Los Angeles, CA 90016

3/10/80
FILED

JUN -4 1980

DEPARTMENT OF REAL ESTATE

BY *Cherna J. J. J.*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Application of) No. H-947 SD
)
MUSHEER HAROON SHABAZZ, aka) L-20873
Aaron Alexander Johnson, aka)
Aaron Johnson Page, aka)
Aaron Johnson Shabazz,)
Respondent.)

DECISION

The Proposed Decision dated May 18, 1980, of the Administrative Law Judge of the Office of Administrative Hearings is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter with the following exception:

Condition D of the Order of the Proposed Decision is not adopted and shall not be part of the Decision.

The application for a real estate broker license is denied, but the right to a restricted real estate broker license is granted to respondent. There is no statutory restriction on when a new application may be made for an unrestricted license. Petition for the removal of restrictions from a restricted license is

1 controlled by Section 11522 of the Government Code. A copy of
2 Section 11522 is attached hereto for the information of respondent.

3 If and when application is made for a real estate broker
4 license through a new application or through a petition for removal
5 of restrictions, all competent evidence of rehabilitation presented
6 by the respondent will be considered by the Real Estate
7 Commissioner. A copy of the Commissioner's Criteria of
8 Rehabilitation is attached hereto.

9 This Decision shall become effective at 12 o'clock noon
10 on June 24, 1980

11 IT IS SO ORDERED June 2, 1980

12
13
14 David H. Fox
15 DAVID H. FOX
16 Real Estate Commissioner

17 John A. Bates
18 Ass't Comm'r.
19
20
21
22
23
24
25
26
27

BEFORE THE DEPARTMENT OF REAL ESTATE .

OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

MUSHEER HAROON SHABAZZ, aka)

Aaron Alexander Johnson, aka)

Aaron Johnson Page, aka)

Aaron Johnson Shabazz,)

Respondent.)

NO. H-947 SD

L-20873

PROPOSED DECISION

This matter came on regularly for hearing before Willis Mevis, Administrative Law Judge of the Office of Administrative Hearings, at San Diego, California, on May 9, 1980, at the hour of 1:30 p.m. Marjorie P. Mersel, Counsel, represented the complainant. The respondent appeared in person and represented himself. Oral and documentary evidence having been received and the matter submitted, the Administrative Law Judge finds the following facts:

I

The Real-Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, requires further proof of the honesty and truthfulness of Musheer Haroon Shabazz, aka Aaron Alexander Johnson, aka Aaron Johnson Page, aka Aaron Johnson Shabazz in connection with his application for a real estate broker license filed on July 20, 1979..

II

On or about April 8, 1977, in the Municipal Court of California, County of San Diego South Bay Judicial District, respondent was convicted of the crime of violating Penal Code Section 488 (Petty Theft), a crime involving moral turpitude.

III

The crime which respondent was convicted of bears a substantial relationship to the qualifications, functions or duties of a real estate licensee.

IV

On February 6, 1978, effective April 12, 1978, in Case No. H-803 SD, the Real Estate Commissioner of the State of California issued his decision revoking the real estate salesperson's license of Aaron Alexander Johnson, aka Aaron Johnson Page, aka Aaron Johnson

Shabazz, respondent for violation of Sections 490 and 10177(b) of the Business and Professions Code, but granting him the right of a restricted license provided application be made within six months. No application was made.

V

The respondent has not engaged in the practice of real estate since the action referred to in Finding IV.

VI

Rehabilitation has been established but not to the degree to permit respondent to continue unrestricted in real estate particularly in the light of his absence from active practice in the real estate field.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:

I

Grounds for the denial of respondent's application have been established pursuant to Section 480 of the Business and Professions Code in that respondent has been convicted of a crime as defined in Section 10177(b) of said Code, and said crime is substantially related to the qualifications, functions and duties of a real estate licensee.

II

Competent evidence of rehabilitation introduced by respondent has been considered as is required by Section 482 of the Business and Professions Code. Respondent has demonstrated substantial compliance with the relevant Criteria of Rehabilitation duly promulgated by the Department, to the extent that it appears that it would be in the public interest to issue to respondent a properly restricted real estate broker's license.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The application of respondent Musheer Haroon Shabazz, for a license to act as a real estate broker in the State of California is hereby denied; provided, however, that a restricted real estate broker's license shall be issued to respondent pursuant to Section 10156.5 of the Business and Professions Code if respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for said license within six (6) months from the effective date of the Decision herein. The restricted license issued to respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following

limitations, conditions and restrictions imposed under authority of Section 10156.6 of said Code:

A. Said Restricted license may be suspended prior to hearing by order of the Real Estate Commissioner in the event of respondent's conviction or plea of nolo contendere to a crime which bears a significant relation to respondent's fitness or capacity as a real estate licensee.

B. Said restricted license may be suspended prior to hearing by order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to this restricted license.

C. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate broker's license nor the removal of any of the conditions, limitations, or restrictions of a restricted license until two (2) years have elapsed from the date of issuance of the restricted license to respondent.

D. Respondent shall not engage in any activities for which a real estate license is required except while he is employed by and under the supervision of a fully licensed real estate broker. Within twenty (20) days of the commencement of his employment by any such broker, respondent shall submit to the Department a statement signed by the employing broker which shall certify:

1. That he has read the Decision of the Commissioner which granted the right to a restricted license; and
2. That he will exercise close supervision over the performance by the restricted licensee of activities for which a real estate license is required.

I hereby submit the foregoing which constitutes my Proposed Decision in the above-entitled matter, as a result of the hearing had before me on May 9, 1980, at San Diego, California, and recommend its adoption as the decision of the Real Estate Commissioner.

DATED: 5/11/80

WM:mh

WILLIS MEVIS
Administrative Law Judge
Office of Administrative Hearings

1 MARJORIE P. MERSEL
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012

5 (213) 620-4790

FILED
FEB 14 1980

DEPARTMENT OF REAL ESTATE
BY D. Morales

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Application of)

NO. H-947 SD

12 MUSHEER HAROON SHABAZZ, aka
13 Aaron Alexander Johnson, aka
14 Aaron Johnson Page, aka
15 Aaron Johnson Shabazz,

STATEMENT OF ISSUES

Respondent.)

16 The Real Estate Commissioner, in conformity with
17 Section 10152, Division 4, Business and Professions Code of the
18 State of California, requires further proof of the honesty and
19 truthfulness of MUSHEER HAROON SHABAZZ, aka Aaron Alexander
20 Johnson, aka Aaron Johnson Page, aka Aaron Johnson Shabazz in
21 connection with his application for a real estate broker license
22 filed on July 20, 1979, and in relation thereto will consider the
23 following:

24 I

25 On or about April 8, 1977, in the Municipal Court of
26 California, County of San Diego South Bay Judicial District,
27 respondent was convicted of the crime of violating Penal Code

1 Section 488 (Petty Theft), a crime involving moral turpitude.

2 II

3 The crime which respondent was convicted of bears a
4 substantial relationship to the qualifications, functions or
5 duties of a real estate licensee.

6 III

7 Respondent's criminal record as alleged above is
8 grounds for denying his application for a real estate license
9 under Sections 480, 10177(b) and 10177(f) of the Business and
10 Professions Code of the State of California.

11 PRIOR DISCIPLINARY ACTION

12 On February 6, 1978, effective April 12, 1978, in
13 Case No. H-803 SD, the Real Estate Commissioner of the State of
14 California issued his decision revoking the real estate license
15 of Aaron Alexander Johnson, aka Aaron Johnson Page, aka Aaron
16 Johnson Shabazz, respondent herein for violation of Sections
17 490 a d 10177(b) of the Business and Professions Code, but
18 granting him the right of a restricted license.

19 /

20 /

21 /

22 /

23 /

24 /

25 /

26 /

27 /

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the Government Code.

Dated at Los Angeles, California
this 14th day of February 1980.

RANDOLPH BRENDIA

Deputy Real Estate Commissioner

cc: Musheer Haroon Shabazz, aka
Aaron Alexander Johnson, aka
Aaron Johnson Page, aka
Aaron Johnson Shabazz
Sacto
OAH
PS