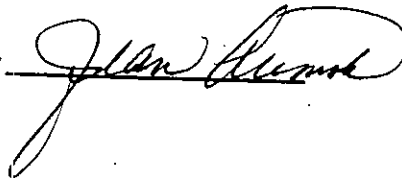


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FILED
MAY 15 2007

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of)	No. H-2948 SD
)	
ELIZABETH NAZARIAN,)	
)	
Respondent.)	
)	

ORDER GRANTING UNRESTRICTED LICENSE

On March 10, 2004, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on April 10, 2004, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On March 16, 2006, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

///

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

8 NOW, THEREFORE, IT IS ORDERED that Respondent's
9 Petition for removal of restrictions is granted and that a real
10 estate salesperson license be issued to Respondent subject to the
11 following understanding and conditions:

12 1. The license issued pursuant to this order shall be
13 deemed to be the first renewal of Respondent's real estate
14 salesperson license for the purpose of applying the provisions of
15 Section 10153.4.

16 2. Within nine (9) months from the date of this order
17 Respondent shall:

18 (a) Submit a completed application and pay the
19 appropriate fee for a real estate salesperson license, and

20 (b) Submit evidence of having taken and successfully
21 completed the courses specified in paragraphs (1) to (4)
22 inclusive of subdivision (a) of Section 10170.5 of the Real
23 Estate Law for renewal of a real estate license.

24 3. Upon renewal of the license issued pursuant to this
25 order, Respondent shall submit evidence of having taken and
26 successfully completed the continuing education requirements of

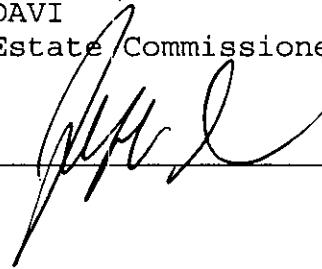
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1 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
2 real estate license.

3 This Order shall become effective immediately.

4 IT IS SO ORDERED 4-17, 2007.

5 JEFF DAVI
6 Real Estate Commissioner

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1 DEPARTMENT OF REAL ESTATE
2 P.O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED
MAR 12 2004

DEPARTMENT OF REAL ESTATE

By: Kathleen Contreras

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 *In the Matter of the Application of*

11 ELIZABETH NAZARIAN,

12 Respondent

) NO. H-2948 SD

) STIPULATION AND WAIVER

13 I, ELIZABETH NAZARIAN, Respondent herein, do hereby affirm that I have applied to
14 the Department of Real Estate for a real estate salesperson license and that to the best of my knowledge I
15 have satisfied all of the statutory requirements for the issuance of the license, including the payment of the
16 fee therefor.

17 I acknowledge that I have received and read the Statement of Issues and the Statement to
18 Respondent filed by the Department of Real Estate on January 24, 2004, in connection with my application
19 for a real estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on
20 this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to
21 prove other allegations therein, or that he/she may in his/her discretion waive the hearing and grant me a
22 restricted real estate salesperson license based upon this Stipulation and Waiver. I also understand that by
23 filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to
24 make a satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license.
25 I further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate
26 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the
27 issuance to me of an unrestricted real estate salesperson license.

1 I hereby admit that the allegations of the Statement of Issues filed against me are true and
2 correct and request that the Real Estate Commissioner in his/her discretion issue a restricted real estate
3 salesperson license to me under the authority of Section 10156.5 of the Business and Professions Code. I
4 understand that any such restricted license will be issued subject to and be limited by Section 10153.4 of the
5 Business and Professions Code.

6 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing
7 and the opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an
8 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate
9 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a
10 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

11 I further understand that the following conditions, limitations, and restrictions will attach to
12 a restricted license issued by the Department of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised
14 including the right of renewal, and the Real Estate Commissioner may by appropriate
15 order suspend the right to exercise any privileges granted under this restricted license
16 in the event of:
- 17 a. The conviction of Respondent (including a plea of nolo contendere) to a crime
18 which bears a substantial relationship to Respondent's fitness or capacity as a
19 real estate licensee; or
- 20 b. The receipt of evidence that Respondent has violated provisions of the California
21 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate
22 Commissioner, or conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor
24 the removal of any of the conditions, limitations or restrictions attaching to the
25 restricted license until two years have elapsed from the date of issuance of the
26 restricted license to Respondent.

27 ///

- 1 3. With the application for license, or with the application for transfer to a new
2 employing broker, I shall submit a statement signed by the prospective employing
3 broker on a form approved by the Department of Real Estate wherein the employing
4 broker shall certify as follows:
- 5 a. That broker has read the Statement of Issues which is the basis for the issuance
6 of the restricted license; and
- 7 b. That broker will carefully review all transaction documents prepared by the
8 restricted licensee and otherwise exercise close supervision over the licensee's
9 performance of acts for which a license is required.
- 10 4. My restricted real estate salesperson license is issued subject to the requirements of
11 Section 10153.4 of the Business and Professions Code, to wit: I am required, within
12 eighteen (18) months of the issuance of the restricted license, to submit evidence
13 satisfactory to the Commissioner of successful completion, at an accredited
14 institution, of two of the courses listed in Section 10153.2, other than real estate
15 principles, advanced legal aspects of real estate, advanced real estate finance, or
16 advanced real estate appraisal. If I fail to timely present to the Department satisfactory
17 evidence of successful completion of the two required courses, the restricted license
18 shall be automatically suspended effective eighteen (18) months after the date of its
19 issuance. Said suspension shall not be lifted unless, prior to the expiration of the
20 restricted license, I have submitted the required evidence of course completion and the
21 Commissioner has given written notice to Respondent of the lifting of the suspension.
- 22 5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified
23 license under Section 10153.4, Respondent shall not be entitled to renew the restricted
24 license, and shall not be entitled to the issuance of another license which is subject to
25 Section 10153.4 until four years after the date of the issuance of the preceding
26 restricted license.

27 ///

1 Respondent can signify acceptance and approval of the terms and conditions of this
2 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the
3 Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by
4 electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation
5 and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the
6 Department had received the original signed Stipulation and Waiver.

7
8 2,25,2004

9 Dated

Elizabeth Nazarian

ELIZABETH NAZARIAN, Respondent

10 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver
11 signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the
12 honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public
13 interest to issue a restricted real estate salesperson license to Respondent.

14 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be
15 issued to Respondent ELIZABETH NAZARIAN, if Respondent has otherwise fulfilled all of the statutory
16 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in
17 the foregoing Stipulation and Waiver.

18
19 This Order is effective immediately.

20 IT IS SO ORDERED March 10, 2004.

21
22 JOHN R. LIBERATOR
Acting Real Estate Commissioner

23
24 John R. Liberator
25
26
27

FILED
FEB 13 2004

**BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

DEPARTMENT OF REAL ESTATE

By 

In the Matter of the Application of

ELIZABETH NAZARIAN,

}
}

Case No. H-2948 SD

OAH No.

Respondent

NOTICE OF HEARING ON APPLICATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at

THE OFFICE OF ADMINISTRATIVE HEARINGS

1350 FRONT STREET, ROOM 6022

SAN DIEGO, CALIFORNIA 92101

on **MARCH 22, 2004**, at the hour of **1:30 PM**, or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you not present nor represented at the hearing, the Department may act upon your application without taking evidence.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

By 
DEIDRE L. JOHNSON, Counsel 

Dated: FEBRUARY 13, 2004

1 LARRY A. ALAMAO, Counsel
2 State Bar No. 47379
3 Department of Real Estate
4 P. O. Box 187000
5 Sacramento, CA 95818-7000
6
7 Telephone: (916) 227-0789

FILED
JAN 24 2004

DEPARTMENT OF REAL ESTATE

[Handwritten signature]

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Application of)
13 ELIZABETH NAZARIAN,) NO. H-2948 SD
14 Respondent.) STATEMENT OF ISSUES
15)

16 The Complainant, J. CHRIS GRAVES, a Deputy Real Estate
17 Commissioner of the State of California, for Statement of Issues
18 against ELIZABETH NAZARIAN (hereinafter "Respondent"), is
19 informed and alleges as follows:

20 I

21 Respondent made application to the Department of Real
22 Estate of the State of California for a real estate salesperson
23 license on or about December 18, 2002, with the knowledge and
24 understanding that any license issued as a result of said
25 application would be subject to the conditions of Section 10153.4
26 of the Business and Professions Code.

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II

Complainant, J. CHRIS GRAVES, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity and not otherwise.

III

In response to Question 25 of said application, to wit: "Have you ever been convicted of any violation of law?", Respondent answered "No".

IV

On or about December 28, 1983, in the Municipal Court, County of San Diego, Respondent was convicted of a violation of Section 484-488 of the California Penal Code (Theft), a crime involving moral turpitude 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.

V

The crime of which Respondent was convicted, as alleged in Paragraph IV, constitutes cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the California Business and Professions Code.

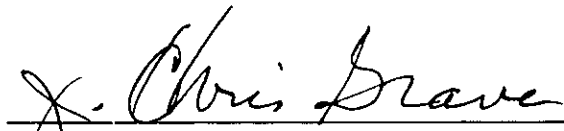
VI

Respondent's failure to reveal the conviction set forth in Paragraph IV above in said application constitutes the procurement of a real estate license by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in said application, which failure is cause for denial of Respondent's

1 application for a real estate license under Sections 480(c) and
2 10177(a) of the California Business and Professions Code.

3 WHEREFORE, the Complainant prays that the above-
4 entitled matter be set for hearing and, upon proof of the charges
5 contained herein, that the Commissioner refuse to authorize the
6 issuance of, and deny the issuance of, a real estate salesperson
7 license to Respondent, and for such other and further relief as
8 may be proper under other provisions of law.

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J. CHRIS GRAVES
Deputy Real Estate Commissioner

Dated at San Diego, California,
this 10th day of December, 2003.