

FILED

NOV 17 2010

DEPARTMENT OF REAL ESTATE

[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	
ARSALAN SAADATIRAD,)	No. H-4129 SD
)	
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 October 19, 2010, and the findings of fact set forth herein, which 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 and/or license rights on grounds of the conviction of crimes.

The right to reinstatement of a revoked real estate license 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 August 4, 2010, Joseph Aiu filed the Accusation in his 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's last known mailing address on file with the Department on August 5, 2010.

On October 19, 2010, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

2

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part I of Division 4, of the California Business and Professions Code ("the Code") as a real estate broker.

3

On approximately September 17, 2009, in the Superior Court, County of San Diego, Respondent was convicted of violating two counts of Section 487 of the California Penal Code (grand theft of personal property) with an enhancement of Section 186.11(a)(2) of the California Penal Code (aggravated white collar crime – loss in excess of \$500,000), Section 115(a) of the California Penal Code (filing false instrument) and Section 118(a) of the California Penal Code (perjury by declaration), each a felony 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.

DETERMINATION OF ISSUES

1

Cause of disciplinary action against Respondent exists with reference to the conviction set forth in Paragraph 3, above, pursuant to Business and Professions Code Sections 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to Qualifications, Functions or Duties of Real Estate Licensee).

2

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

///

///

///

///

///

///

///

ORDER


All licenses and licensing rights of Respondent ARSALAN SAADATIRAD 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 - 8 2010

DATED: 11-1-2010

JEFF DAVI
Real Estate Commissioner

A handwritten signature in black ink, appearing to read "Barbara J. Bigby", is written over a horizontal line.

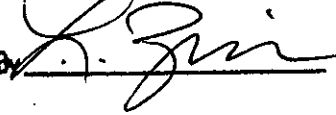
BY: Barbara J. Bigby
Chief Deputy Commissioner

1 Department of Real Estate
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

FILED

OCT 19 2010

DEPARTMENT OF REAL ESTATE

By: 

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

11 * * *

12 In the Matter of the Accusation of)

13 ARSALAN SAADATIRAD,)

14 Respondent.)

No. H-4129 SD

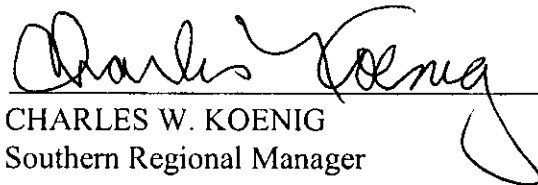
DEFAULT ORDER

15
16 Respondent, ARSALAN SAADATIRAD, having failed to file a Notice of
17 Defense within the time required by Section 11506 of the Government Code, is now in default.
18 It is, therefore, ordered that a default be entered on the record in this matter.

19 IT IS SO ORDERED October 29, 2010.

20 JEFF DAVI
21 Real Estate Commissioner

22
23 By:


24 CHARLES W. KOENIG
25 Southern Regional Manager

1 ANGELA L. CASH, Counsel (SBN 230882)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789
5 -or- (916) 227-0805 (Direct)

FILED

AUG - 4 2010

DEPARTMENT OF REAL ESTATE

By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 ARSALAN SAADATIRAD,)
13 Respondent.)
14

No. H-4129 SD
ACCUSATION

15 The Complainant, Joseph Aiu, a Deputy Real Estate Commissioner of the State of
16 California (hereinafter "Complainant"), for cause of Accusation against ARSALAN
17 SAADATIRAD also known as Arsalan Saadati Rad and Arsalan Saadatired (hereinafter
18 "Respondent"), is informed and alleges as follows:

19 1

20 Complainant makes this Accusation in his official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate
23 Law (Part 1 of Division 4 of the Business and Professions Code) (hereinafter "Code") as a real
24 estate broker.


25 ///
26 ///
27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

On approximately September 17, 2009, in the Superior Court, County of San Diego, Respondent was convicted of violating two counts of Section 487 of the California Penal Code (grand theft of personal property) with an enhancement of Section 186.11(a)(2) of the California Penal Code (aggravated white collar crime – loss in excess of \$500,000), Section 115(a) of the California Penal Code (filing false instrument) and Section 118(a) of the California Penal Code (perjury by declaration), each a felony 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.

The facts alleged above constitute cause under Sections 490 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further relief as may be proper under the provisions of law.



JOSEPH AIU
Deputy Real Estate Commissioner

Dated at San Diego, California,
this 21 day of July, 2010