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1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 Direct: (213) 576-6914
7 Fax: (213) 576-6917

FILED

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DEPARTMENT OF REAL ESTATE
BY: C.2

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-04472 SD
12)
13 SHAHLA SALAH-ISFAHANI,) A C C U S A T I O N
14)
15 Respondent.)
16)

17 The Complainant, Sylvia Yrigollen, a Deputy Real
18 Estate Commissioner of the State of California, for cause of
19 Accusation against SHAHLA SALAH-ISFAHANI, aka Shahla Yousofi
20 ("Respondent"), is informed and alleges as follows:

21 1.

22 The Complainant, Sylvia Yrigollen, a Deputy Real
23 Estate Commissioner of the State of California, makes this
24 Accusation in her official capacity.

25 2.

26 Respondent is currently licensed and/or has license
27 rights under the Real Estate Law (Part 1 of Division 4 of the
California Business and Professions Code, "Code") as a real

1 estate broker. Respondent was first licensed by the Department
2 of Real Estate ("Department") as a real estate salesperson on
3 September 7, 1990. Respondent was issued a real estate broker
4 license on July 9, 2012, Department ID 01085162.

5 3.

6 On or about July 2, 2012, Respondent submitted an
7 application for a real estate broker license with the
8 Department. In response to Question No. 19, on the broker
9 license application, to wit: "HAVE YOU EVER BEEN CONVICTED OF A
10 MISDEMEANOR OR FELONY? **CONVICTIONS EXPUNGED UNDER PENAL CODE**
11 **SECTION 1203.4 MUST BE DISCLOSED, HOWEVER, YOU MAY OMIT TRAFFIC**
12 **CITATIONS WHICH DO NOT CONSTITUTE A MISDEMEANOR OR FELONY."**,
13 Respondent marked the answer box denoting "No", and failed to
14 disclose the conviction described in Paragraph 4 below.

15 4.

16 On January 7, 1998, in the Superior of California,
17 County of San Diego, Case No. SCD 132197, Respondent pled
18 guilty to violations of Welfare and Institution Code sections
19 10980(c)(2) (aid by misrepresentation-in excess of \$7,538) and
20 14014 (false statement to receive health care), both felonies.
21 On July 10, 1998, the felony counts were reduced to
22 misdemeanors and Respondent was convicted and sentenced to
23 summary probation for three years, 36 days community service,
24 and ordered to pay restitution of \$8,888.51. On July 27, 2010,
25 the Court granted Respondent's petition for dismissal of the
26 conviction. The dismissal order did not relieve the defendant
27 of the obligation to disclose the conviction in response to any

1 direct question on any application for licensure by a state
2 agency.

3 5.

4 The crimes described in Paragraph 4, above, bear a
5 substantial relationship to the qualifications, functions or
6 duties of a real estate licensee under Section 2910, Title 10,
7 Chapter 6, California Code of Regulations.

8 6.

9 Respondent's failure to reveal the conviction against
10 her as set forth in Paragraph 4, above, constitutes the
11 procurement of a real estate license by fraud, deceit or
12 misrepresentation, or by making a material misstatement of
13 fact, knowing misrepresentation of a material fact, or by
14 knowingly omitting to state a material fact, in her
15 application, which constitutes cause under Code Sections 498
16 and 10177(a) for the suspension or revocation of Respondent's
17 license and/or license rights under the Real Estate Law.

18 7.

19 In aggravation, the crimes of which Respondent was
20 convicted, as alleged in Paragraph 4, above, constitute cause
21 under Code Sections 490 and 10177(b) for the suspension or
22 revocation of all licenses and/or license rights of Respondent
23 under the Real Estate Law.

24 8.

25 In aggravation, on June 29, 1999, Respondent
26 submitted an application for renewal of her salesperson license
27 with the Department. In response to Question No. 3, on the

1 salesperson renewal application, to wit: "WITHIN THE PAST FOUR
2 YEAR PERIOD, HAVE YOU BEEN CONVICTED OF ANY VIOLATION OF LAW?
3 YOU MAY OMIT CONVICTIONS FOR DRUNK DRIVING, RECKLESS DRIVING,
4 AND MINOR TRAFFIC CITATIONS WHICH DO NOT CONSTITUTE A
5 MISDEMEANOR OR FELONY OFFENSE", Respondent marked the answer
6 box denoting "No", and failed to reveal the conviction
7 described in Paragraph 4 above.

8 9.

9 Code Section 10106 provides, in pertinent part, that
10 in any order issued in resolution of a disciplinary proceeding
11 before the Department of Real Estate, the Commissioner may
12 request the administrative law judge to direct a licensee found
13 to have committed a violation of this part to pay a sum not to
14 exceed the reasonable costs of the investigation and
15 enforcement of the case.

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and/or license rights of Respondent
5 SHAHLA SALAH-ISFAHANI under the Real Estate Law (Part 1 of
6 Division 4 of the Business and Professions Code), for the cost
7 of investigation and enforcement as permitted by law, and for
8 such other and further relief as may be proper under other
9 provisions of law.

10 Dated at Sacramento, California

11 this 6th day of March, 2013.

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13 
14 SYLVIA YRIGOLLEN
15 Deputy Real Estate Commissioner
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23 cc: Shahla Salah-Isfahani
24 Sylvia Yrigollen
25 Sacto.
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