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**FILED**

SEP 27 2016

**BUREAU OF REAL ESTATE**

By *Al Delouis*

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9 **BEFORE THE BUREAU OF REAL ESTATE**

10 **STATE OF CALIFORNIA**

11 \* \* \*

12 In the Matter of the Accusation of ) No. H-04778 SD  
13 SHOAIB AZIZI, ) FIRST AMENDED  
14 Respondent. ) ACCUSATION  
15 \_\_\_\_\_ )

16 This First Amended Accusation amends the Accusation filed on March 1, 2016.  
17 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of  
18 California, for cause of Accusation against SHOAIB AZIZI, a.k.a. SHUAIB MOHAMMAD  
19 AZIZI ("Respondent"), is informed and alleges as follows:

20 1.

21 The Complainant, Veronica Kilpatrick, acting in her official capacity as a  
22 Supervising Special Investigator of the State of California, makes this Accusation against  
23 SHOAIB AZIZI.

24 2.

25 Respondent presently has license rights under the Real Estate Law, Part 1 of  
26 Division 4 of the California Business and Professions Code ("Code"), as a real estate broker.

27 ///

1 FIRST CAUSE OF ACTION  
2 (CRIMINAL CONVICTION)

3 3.

4 On or about June 6, 2014, the District Attorney of the County of San Diego filed  
5 a Complaint against Respondent in the Superior Court of California, County of San Diego,  
6 Case No. SCD256524, for violation of California Penal Code Section 487(a) (Grand Theft), a  
7 felony, and Penal Code Section 115(a) (Offering False Or Forged Instruments For Filing), a  
8 felony. On or about March 6, 2015, Respondent pled guilty and was convicted in the Superior  
9 Court of California, County of San Diego, Case No. SCD256524, for violation of California  
10 Penal Code Section 484-488 (Petty Theft), a misdemeanor. Respondent was placed on one year  
11 of summary probation, and ordered to serve one day in jail and pay fines and fees.

12 4.

13 The conviction described in Paragraph 3 bears a substantial relationship under  
14 Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
15 functions or duties of a real estate licensee.

16 5.

17 The crime of which Respondent was convicted, as described in Paragraph 3  
18 above, constitutes cause under Sections 490 and 10177(b) of the Code for the suspension or  
19 revocation of all the licenses and license rights of Respondent under the Real Estate Law.

20 SECOND CAUSE OF ACTION  
21 (FAILURE TO REVEAL CHARGES ON LICENSE APPLICATION)

22 6.

23 On or about January 28, 2015, Respondent certified and submitted his Broker  
24 Renewal Application.

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1 7.

2 In response to Question 17, under the Background Information section of his  
3 license application, to wit, "ARE THERE CRIMINAL CHARGES PENDING AGAINST YOU  
4 AT THIS TIME, OR ARE YOU CURRENTLY AWAITING JUDGMENT AND  
5 SENTENCING FOLLOWING ENTRY OF A PLEA OR JURY VERDICT," Respondent  
6 answered "NO," and failed to disclose the pending charges described in Paragraph 3, above.

7 8.

8 Respondent's failure to reveal the criminal charges pending, as set forth in  
9 Paragraph 3 above, in his Broker Renewal Application constitutes procurement of a real estate  
10 license renewal by fraud, misrepresentation, or deceit, or by making a false statement of  
11 material fact required to be revealed in said application, and constitutes cause under  
12 Section 10177(a) of the Code for the suspension or revocation of the license and license rights  
13 of Respondent under the Real Estate Law.

14 THIRD CAUSE OF ACTION

15 (FAILURE TO MAINTAIN A PLACE OF BUSINESS)

16 9.

17 The main office address maintained by Respondent with the Bureau from  
18 April 20, 2007, to April 27, 2016, was 12036 Scripps Highland Dr, San Diego, CA 92128.  
19 Respondent did not maintain an office at this address. Respondent did not inform the Bureau of  
20 any new main office address until April 27, 2016.

21 10.

22 An November 3, 2015, investigation revealed that Respondent was not  
23 conducting business at the address set forth in Paragraph 9 above. The failure to maintain a  
24 place of business for Respondent at that address is in violation Code Section 10162 and  
25 Section 2715 of Title 10, Chapter 6, California Code of Regulations.

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11.

The conduct, acts, and/or omissions of Respondent, as described in Paragraphs 9 and 10 above, constitutes cause for the suspension or revocation of all real estate licenses and license rights of Respondent under the provisions of Code Sections 10165, 10177(d), and/or 10177(g).

12.

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

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 the licenses and license rights of Respondent SHOAIB AZIZZI under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California  
this 23<sup>rd</sup> day of September, 2016

  
Veronica Kilpatrick  
Supervising Special Investigator

cc: SHOAIB AZIZZI  
Veronica Kilpatrick  
Sacto.