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FILED
JAN 07 2021
DEPT. OF REAL ESTATE
By *[Signature]*

7
8 **BEFORE THE DEPARTMENT OF REAL ESTATE**
9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Application of) No. H-05196 SD
12)
13 RAFAH ALKHAFAJI,) STATEMENT OF ISSUES
14 Respondent.) Real Estate Salesperson
15)

16 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
17 State of California, for Statement of Issues against RAFAH ALKHAFAJI ("Respondent")
18 alleges as follows:

19 1.

20 The Complainant, Veronica Kilpatrick, makes this Statement of Issues against
21 Respondent in her official capacity as a Supervising Special Investigator of the State of
22 California.

23 2.

24 On or about November 18, 2019, Respondent submitted a Salesperson
25 Exam/License Application (Form RE 435, Rev. 4/19) to the Department of Real Estate ("DRE")

26
27 **DRE STATEMENT OF ISSUES ON APPLICATION: RAFAH ALKHAFAJI**

1 or "Department") of the State of California for a real estate salesperson ("RES") license.

2 **CAUSE FOR DENIAL**
3 **(CRIMINAL CONVICTIONS)**

4 3.

5 May 9, 2017: California Penal Code Sections 236/237, 291.5, and 240

6 A. On or about January 24, 2017, in the Superior Court of California, San Diego
7 County, in Case No. SCE361250, The People of the State of California vs. RAFAH
8 ALKHAFAJI, a Complaint was filed against Respondent for violation of:

9 (1) Count 1: Penal Code ("PC") Section 245(A)(4) (assault by means likely to
10 produce great bodily injury), a felony;

11 (2) Count 2: PC Section 236/237(A) (false imprisonment by violence, menace,
12 fraud, deceit, a felony; and

13 (3) Count 3: PC Section 591.5 (damage wireless communication device to
14 prevent assistance), a misdemeanor.

15 B. On or about May 9, 2017, the court found Respondent guilty of, and
16 convicted Respondent for violation of, Counts 1, 2 and 3, and sentenced Respondent to formal
17 probation for three (3) years; 365 days in state prison (suspended); and ordered Respondent to
18 complete anger management courses. In addition, Respondent was ordered to pay court fines
19 and victim restitution, and to stay away from the victim.

20 C. On or about June 10, 2019, the court denied Respondent's petition for early
21 termination of probation.

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27 DRE STATEMENT OF ISSUES ON APPLICATION: RAFAH ALKHAFAJI

1 4.

2 The crimes described in Paragraph 3, by their facts and circumstances, bear a
3 substantial relationship to the qualifications, functions or duties of a real estate licensee under
4 Section 2910, Title 10, Chapter 6, California Code of Regulations.

5 5.

6 The crimes of which Respondent was convicted, as described in Paragraph 3,
7 constitute cause for denial of Respondent's application for a real estate license under
8 **California Business and Professions Code Sections 475(a)(2), 480(a)(1), and 10177(b).**

9 6.

10 These proceedings are brought under the provisions of Section 10100, Division
11 4 of the Business and Professions Code of the State of California and Sections 11500 through
12 11528 of the California Government Code.

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DRE STATEMENT OF ISSUES ON APPLICATION: RAFAH ALKHAFABI

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

Dated at San Diego, California: January 5, 2020.


Veronica Kilpatrick
Supervising Special Investigator

cc: RAFAH ALKHAFAJI
Maria Suarez
Sacto.