

**FILED**

AUG 10 2011

DEPARTMENT OF REAL ESTATE

By *[Signature]*

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

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of

TARIQ ALI KANWAR,

Respondent.

H-5314 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On December 3, 2009, an Accusation was filed in this matter against Respondent.

TARIQ ALI KANWAR.

On April 7, 2011, Respondent petitioned the Commissioner to voluntarily surrender his real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent TARIQ ALI KANWAR's petition for voluntary surrender of his real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated April 7, 2011 (attached as Exhibit "A" hereto).

///

1 Respondent's license certificate and pocket card shall be sent to the below listed address so that  
2 they reach the Department on or before the effective date of this Order:

3  
4 DEPARTMENT OF REAL ESTATE  
5 Attn: Licensing Flag Section  
6 P. O. Box 187000  
7 Sacramento, CA 95818-7000

8 This Order shall become effective at 12 o'clock noon on

9 AUG 30 2011

10  
11 DATED: 8/3/11

12  
13 BARBARA J. BIGBY  
14 Acting Real Estate Commissioner

15   
16  
17  
18  
19  
20  
21  
22  
23  
24  
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

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of	)	
TARIQ ALI KANWAR,	)	NO. H-5314 SAC
Respondent.	)	

DECLARATION

My name TARIQ ALI KANWAR, and I am currently licensed as a real estate broker and have license rights with respect to said license. I am represented by Larry Pilgrim, Esq., as my attorney, and have spoken to him prior to my execution of this Declaration concerning this Declaration and have been informed by counsel of the ramifications of executing this declaration and do execute this declaration on my own free will.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license, I may be relicensed as a broker or as a salesperson only by petitioning for reinstatement pursuant to Section 11522 of

///



1 the Government Code. I also understand that by so voluntarily surrendering my license, I agree  
2 to the following:

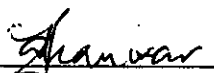
3 1. The filing of this Declaration shall be deemed as my petition for voluntary  
4 surrender.

5 2. It shall also be deemed to be an understanding and agreement by me that I  
6 waive all rights I have to require the Commissioner to prove the allegations contained in the  
7 Accusation filed in this matter at a hearing held in accordance with the provisions of the  
8 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also waive  
9 other rights afforded to me in connection with the hearing such as the right to discovery, the right  
10 to present evidence in defense of the allegations in the Accusation, and the right to cross-  
11 examine witnesses.

12 3. I further agree that upon acceptance by the Commissioner, as evidenced by  
13 an appropriate order, all affidavits and all relevant evidence obtained by the Department in this  
14 matter prior to the Commissioner's acceptance, and all allegations contained in the Accusation  
15 filed in the Department Case No. H-5314 SAC may be considered by the Department to be true  
16 and correct for the purpose of deciding whether to grant re-licensure or reinstatement pursuant to  
17 Government Code Section 11522.

18 4. I freely and voluntarily surrender my license and license rights under the  
19 Real Estate Law.

20 I declare under penalty of perjury under the laws of the State of California that  
21 the above is true and correct and that this declaration was executed 4-7, 2011, at  
22 Irvine, California.

23  
24   
25 TARIQ ALI KANWAR  
26 Respondent  
27

1 KENNETH C. ESPELL, Counsel (SBN 178757) --  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0789  
6 -or- (916) 227-0868 (Direct)

FILED

DEC 03 2009

DEPARTMENT OF REAL ESTATE

By R. Henry

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of ) H- 5314 SAC  
12 )  
13 TARIQ ALI KANWAR, ) ACCUSATION  
14 )  
15 Respondent. )

16 The Complainant, TRICIA D. SOMMERS, in her official capacity as a Deputy  
17 Real Estate Commissioner of the State of California, for cause of Accusation against TARIQ  
18 ALI KANWAR (hereinafter "Respondent"), is informed and alleges as follows:

19 1

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

23 2

24 On or about June 4, 2003, Respondent was admitted to the State Bar of  
25 California as State Bar Licensee number 224988 and at all times relevant herein was and is  
26 licensed to practice law before the courts of the State of California.

1  
2 On or about July 15 2008, the State Bar Court of California, case numbers 06-O-  
3 11151; 07-O-10771; and 07-O-14291, as adopted by the California Supreme Court in *In Re*  
4 *Tariq A. Kanwar on Discipline*, Supreme Court case number S166644, finding that  
5 Respondent's misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of  
6 misconduct which harmed significantly a client, the public or the administration of justice, and  
7 suspended Respondent's license to practice law for one (1) year with all but ninety (90) days  
8 stayed. Respondent's acts and/or omissions, which, if committed by a real estate licensee in the  
9 context of the representation of real estate clients, would constitute grounds for suspension or  
10 revocation of a real estate license pursuant to the provisions of Section 10177 (f) and (g) of the  
11 Code.

12  
13 The facts alleged in Paragraphs 3, constitutes cause under Section 10177 (f) of  
14 the Code for suspension or revocation of all licenses and license rights of Respondent under the  
15 Real Estate Law.

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

21  
22   
23 TRICIA D. SOMMERS  
24 Deputy Real Estate Commissioner

25 Dated at Sacramento, California,  
26 this 25th day of November, 2009.  
27