

1 Department of Real Estate
2 P.O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

JUN 28 2012

DEPARTMENT OF REAL ESTATE

By L. Jones

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 *In the Matter of the Application of*

12 SHAHIN KOUCHAKALI

13 Respondent.

No. H- 5800 SAC

STIPULATION AND WAIVER

15 I, SHAHIN KOUCHAKALI, Respondent herein, do hereby affirm that I have applied to the
16 Department of Real Estate for a real estate broker license and that to the best of my knowledge I
17 have satisfied all of the statutory requirements for the issuance of the license, including the payment
18 of the fee therefor.

19 I acknowledge that I have received and read the Statement of Issues and the Statement to
20 Respondent filed by the Department of Real Estate on April 3, 2012, in connection with my
21 application for a real estate broker license. I understand that the Real Estate Commissioner may
22 hold a hearing on this Statement of Issues for the purpose of requiring further proof of my honesty
23 and truthfulness and to prove other allegations therein, or that he/she may in his/her discretion
24 waive the hearing and grant me a restricted real estate broker license based upon this Stipulation
25 and Waiver. I also understand that by filing the Statement of Issues in this matter the Real Estate
26 Commissioner is shifting the burden to me to make a satisfactory showing that I meet all the
27 requirements for issuance of a real estate broker license. I further understand that by entering into

1 this stipulation and waiver I will be stipulating that the Real Estate Commissioner has found that I
2 have failed to make such a showing, thereby justifying the denial of the issuance to me of an
3 unrestricted real estate broker license.

4 I hereby admit that the allegations of the Statement of Issues filed against me are true and
5 correct and request that the Real Estate Commissioner in his/her discretion issue a restricted real
6 estate broker license to me under the authority of Section 10156.5 of the Business and Professions
7 Code.

8 I am aware that by signing this Stipulation and Waiver, and if this Stipulation and Waiver is
9 accepted by the Real Estate Commissioner, I am waiving my right to a hearing and the opportunity
10 to present evidence at the hearing to establish my rehabilitation in order to obtain an unrestricted
11 real estate broker license. I am not waiving my right to a hearing and to further proceedings to
12 obtain a restricted or unrestricted license if this Stipulation and Waiver is not accepted by the
13 Commissioner.

14 I further understand that the following conditions, limitations and restrictions will attach to a
15 restricted license issued by the Department of Real Estate pursuant hereto:

- 16 1. The license shall not confer any property right in the privileges to be exercised and the
17 Real Estate Commissioner may by appropriate order suspend the right to exercise any
18 privileges granted under this restricted license in the event of:
 - 19 a. Respondent's conviction (including a plea of nolo contendere) of a crime which
20 bears a substantial relationship to Respondent's fitness or capacity as a real estate
21 licensee; or
 - 22 b. The receipt of evidence that Respondent has violated provisions of the California
23 Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate
24 Commissioner, or conditions attaching to this restricted license.
- 25 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the
26 removal of any of the conditions, limitations, or restrictions attaching to the restricted
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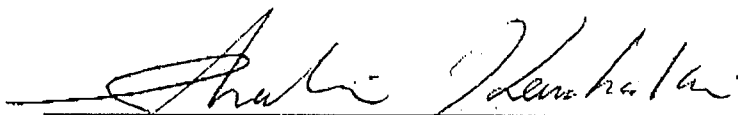
license until two year(s) have elapsed from the date of issuance of the restricted license to Respondent.

3. Respondent shall notify the Commissioner in writing within 72 hours of any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of Respondent's arrest, the crime for which Respondent was arrested and the name and address of the arresting law enforcement agency. Respondent's failure to timely file written notice shall constitute an independent violation of the terms of the restricted license and shall be grounds for the suspension or revocation of that license.

Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Waiver.

4-18-2012

Dated



SHAHIN KOUCHAKALI, Respondent

I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need not be called and that it will not be inimical to the public interest to issue a restricted real estate broker license to Respondent.

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2 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to
3 Respondent SHAHIN KOUCHAKALI if Respondent has otherwise fulfilled all of the statutory
4 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as
5 specified in the foregoing Stipulation and Waiver.

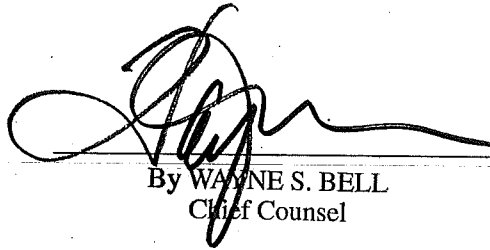
6 This Order is effective immediately.

7 IT IS SO ORDERED

6/27/2012

Real Estate Commissioner

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By WAYNE S. BELL
Chief Counsel