

FILED
FEB 09 2005

DEPARTMENT OF REAL ESTATE

By Gina Shawver

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
MEHDI HOOSHANGI,) No. H-8939 SF
Respondent.)

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On September 27, 2004, an Accusation was filed in this matter against Respondent MEHDI HOOSHANGI.

On December 21, 2004, Respondent MEHDI HOOSHANGI petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MEHDI HOOSHANGI petition for voluntary surrender of his real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in the Declaration executed by Respondent MEHDI HOOSHANGI on December 21, 2004 (attached as Exhibit "A" hereto).

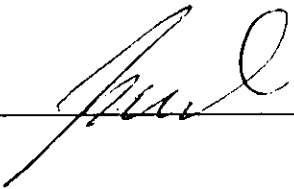
1 Respondent MEHDI HOOSHANGI's license certificate and
2 pocket card shall be sent to the below-listed address so that
3 they reach the Department on or before the effective date of
4 this Order:

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

9 This Order shall become effective at 12 o'clock
10 noon on FEBRUARY 22, 2005.

11 DATED: 2-2-05

12 JEFF DAVI
13 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
MEHDI HOOSHANGI,) No. H-8939 SF
Respondent.)

DECLARATION

My name is MEHDI HOOSHANGI and that I am currently
licensed as a real estate salesperson and have license rights
with respect to said license. I am represented by Frank M.
Buda, Attorney at Law.

In lieu of proceeding in this matter in accordance with
the provisions of the Administrative Procedures Act (Sections
11400 et seq., of the Business and Professions 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, that it can only be reinstated in accordance with the
provisions of Section 11522 of the Government Code. I also

1 understand that by so voluntarily surrendering my license(s), I
2 agree to the following:

3 The filing of this Declaration shall be deemed as my
4 petition for voluntary surrender. It shall also be deemed to be
5 an understanding and agreement by me that, I waive all rights I
6 have to require the Commissioner to prove the allegations
7 contained in the Accusation filed in this matter at a hearing
8 held in accordance with the provisions of the Administrative
9 Procedures Act (Government Code Sections 11400 et seq.), and that
10 I also waive other rights afforded to me in connection with the
11 hearing such as the right to discovery, the right to present
12 evidence in defense of the allegations in the Accusation and the
13 right to cross examine witnesses. I further agree that upon
14 acceptance by the Commissioner, as evidenced by an appropriate
15 order, all affidavits and all relevant evidence obtained by the
16 Department in this matter prior to the Commissioner's acceptance,
17 and all allegations contained in the Accusation filed in the
18 Department Case No. H-8939 SF, may be considered by the
19 Department to be true and correct for the purpose of deciding
20 whether or not to grant reinstatement of my license pursuant to
21 Government Code Section 11522.

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1 I declare under penalty of perjury under the laws of
2 the State of California that the above is true and correct and
3 that I freely and voluntarily surrender my license and all
4 license rights attached thereto.

5 12/21/04

6 Date and Place

MEHDI HOOSHANGI

27

2/15/05
**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

FILED
NOV 16 2004

DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

MEHDI HOOSHANGI

By Anne Shaver

} Case No. H-8939 SF

} OAH No. N-

Respondents

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at **THE OFFICE OF ADMINISTRATIVE HEARINGS, 1515 CLAY STREET, SUITE 206, OAKLAND, CA 94612** on **WEDNESDAY, JANUARY 5, 2005**, at the hour of **1:30. P.M.**, or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: NOVEMBER 16, 2004

By Truly Sughrue / as
TRULY SUGHRUE, Counsel

FILED

SEP 27 2004

DEPARTMENT OF REAL ESTATE

By Anne Shanon

1 TRULY SUGHRUE, Counsel
2 State Bar No. 223266
3 Department of Real Estate
4 P.O. Box 187007
5 Sacramento, CA 95818-7007
6
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8 Telephone: (916) 227-0781
9

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11 In the Matter of the Accusation of)
12 MEHDI HOOSHANGI,)
13 Respondent.)

No. H- 8939 SF
ACCUSATION

14
15 The Complainant, LES R. BETTENCOURT, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Accusation against MEHDI HOOSHANGI (hereinafter "Respondent"), is
18 informed and alleges as follows:

19 I

20 The Complainant, LES R. BETTENCOURT, a Deputy Real
21 Estate Commissioner of the State of California, makes this
22 Accusation in his official capacity.

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II

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

III

On or about January 12, 2004, in the Superior Court, County of Alameda, Respondent was convicted of a violation of Section 242-243(e) of the California Penal Code (Battery on Spouse, Cohabitant), a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

IV

The facts alleged above constitute cause under Sections 490 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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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 licenses and license rights of Respondent under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further relief as may be proper under the provisions of law.

Les R. Bettencourt
LES R. BETTENCOURT
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 4th day of August, 2004