

FILED

JUL - 8 2010

DEPARTMENT OF REAL ESTATE

*[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*

In the Matter of the Application of

ESSAM WAFIK IBRAHIM,

Respondent.

No. H-10266 SF

ORDER GRANTING UNRESTRICTED LICENSE

On February 21, 2008, a Decision was rendered herein denying Respondent's application for a real estate broker license, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on February 28, 2008, and Respondent has operated as a restricted licensee since that time.

On March 2, 2010, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate broker license.

I have considered Respondent's petition and the evidence submitted in support thereof including Respondent's record as a restricted licensee. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of

///

1 an unrestricted real estate broker license and that it would not be against the public interest to  
2 issue said license to Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of  
4 restrictions is granted and that a real estate broker license be issued to Respondent if Respondent  
5 satisfies the following requirements:

6 1. Submits a completed application and pays the fee for a real estate broker  
7 license within the 12 month period following the date of this Order; and,

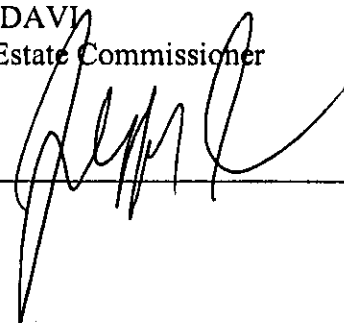
8 2. Submits proof that Respondent has completed the continuing education  
9 requirements for renewal of the license sought. The continuing education courses must be  
10 completed either (i) within the 12 month period preceding the filing of the completed  
11 application, or (ii) within the 12 month period following the date of this Order.

12 This Order shall become effective immediately.

13 IT IS SO ORDERED 6-25-2010.

14 JEFF DAVIS  
15 Real Estate Commissioner

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1 DEPARTMENT OF REAL ESTATE  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0789

FILED

FEB 22 2008

DEPARTMENT OF REAL ESTATE

By K. Contreas

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10  
11 *In the Matter of the Application of*

12 ESSAM WAFIK IBRAHIM,

13 Respondent

)  
) No. H- 10266 SF

)  
) **STIPULATION AND WAIVER**  
)  
)

14  
15 I, ESSAM WAFIK IBRAHIM, Respondent herein, do hereby affirm that I have applied to  
16 the Department of Real Estate for a real estate broker license and that to the best of my knowledge I have  
17 satisfied all of the statutory requirements for the issuance of the license, including the payment of the fee  
18 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 December 12, 2007, in connection with my  
21 application for a real estate broker license. I understand that the Real Estate Commissioner may hold a  
22 hearing on this Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness  
23 and to prove other allegations therein, or that he may in his discretion waive the hearing and grant me a  
24 restricted real estate broker license based upon this Stipulation and Waiver. I also understand that by filing  
25 the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
26 satisfactory showing that I meet all the requirements for issuance of a real estate broker license. I further  
27 understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
2 issuance to me of an unrestricted real estate broker license.

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

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

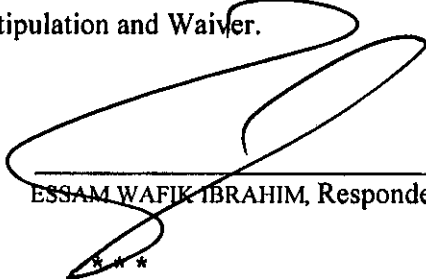
11 I further understand that the following conditions, limitations, and restrictions will attach to  
12 a restricted license issued by the Department of Real Estate pursuant hereto:

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

26 Respondent can signify acceptance and approval of the terms and conditions of this  
27 Stipulation and Waiver by faxing a copy of the signature page, as actually signed by Respondent, to the

1 Department at fax number (916) 227-9458. Respondent agrees, acknowledges and understands that by  
2 electronically sending to the Department a fax copy of his actual signature as it appears on the Stipulation  
3 and Waiver, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the  
4 Department had received the original signed Stipulation and Waiver.

5  
6 2/15/08  
Dated

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

13 Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued  
14 to Respondent ESSAM WAFIK IBRAHIM, if Respondent has otherwise fulfilled all of the statutory  
15 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in  
16 the foregoing Stipulation and Waiver.

17 This Order is effective immediately.

18  
19 IT IS SO ORDERED February 21, 2008.

20  
21 JEFF DAVI  
Real Estate Commissioner

22  
23 By:   
24 STEVEN J. ELLIS  
Northern Regional Manager

1 DANIEL E. KEHEW, Counsel (SBN 231550)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007  
5 Telephone: (916) 227-0789  
6 -or- (916) 227-0425 (Direct)

FILED

DEC 12 2007

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Application of )  
13 ESSAM WAFIK IBRAHIM, )  
14 Respondent. )  
15 \_\_\_\_\_ )

H-10266 SF

STATEMENT OF ISSUES

16 The Complainant, STEVEN J. ELLIS, a Deputy Real Estate  
17 Commissioner of the State of California, for Statement of Issues  
18 against ESSAM WAFIK IBRAHIM (hereinafter "Respondent"), is  
19 informed and alleges as follows:

20 I

21 Complainant, STEVEN J. ELLIS, a Deputy Real Estate  
22 Commissioner of the State of California, makes this Statement of  
23 Issues against Respondent in his official capacity.

24 II

25 Respondent made application to the Department of Real  
26 Estate of the State of California for a real estate broker  
27 license on or about May 25, 2007.

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III

On or about May 13, 2003, in the Superior Court of the State of California, County of Contra Costa, Respondent was convicted of being Under the Influence of a Controlled Substance (Methamphetamine) in violation of Health & Safety Code Section 11550(a), a misdemeanor involving moral turpitude and/or a crime that bears a substantial relationship under Section 2910, Title 10, California Code of Regulations (hereinafter "Regulations"), to the qualifications, functions, or duties of a real estate licensee.

IV

On or about March 16, 2004, in the Superior Court of the State of California, County of Contra Costa, Respondent was convicted of Reckless Driving in violation of Vehicle Code Section 23103, a misdemeanor involving moral turpitude and/or a crime that bears a substantial relationship under Section 2910, Title 10 of the Regulations to the qualifications, functions, or duties of a real estate licensee.


V

Respondent's convictions, described in Paragraphs III and IV above, constitute cause for denial of Respondent's application for a real estate license under Sections 480(a) and 10177(b) of the Business and Professions Code.

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WHEREFORE, Complainant prays that 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 broker license to Respondent, and for such other and further relief as may be proper under other provisions of law.

  
\_\_\_\_\_  
STEVEN J. ELLIS  
Deputy Real Estate Commissioner

Dated at Sacramento, California  
this 7<sup>th</sup> day of December, 2007.