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BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

WAZHMA RAHIMI,

No. H-11093 SF

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE
BUT GRANTING RIGHT TO A RESTRICTED LICENSE

On July 28, 2011, in Case No. H-11093 SF, a Decision was rendered revoking the real estate broker license of Respondent effective August 18, 2011.

On October 17, 2017, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and integrity than an applicant for first time licensure. The proof must be sufficient to overcome the prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

I have considered Respondent's petition and the evidence submitted in support thereof.

1 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
2 Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
3 reinstatement of a license. Among the criteria relevant in this proceeding are:

4 Regulation 2911(g) Payment of the fine or other monetary penalty imposed in
5 connection with a criminal conviction or quasi-criminal judgment.

6 Respondent still owes approximately \$6,900.00 in restitution fees resulting from
7 her 2010 conviction, respectively.

8 Respondent has failed to demonstrate to my satisfaction that Respondent has
9 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's unrestricted real
10 estate broker license.

11 I am satisfied, however, that it will not be against the public interest to issue a
12 restricted real estate broker license to Respondent.

13 A restricted real estate broker license shall be issued to Respondent pursuant to
14 Section 10156.5 of the Business and Professions Code, if Respondent satisfies the following
15 conditions prior to and as a condition of obtaining a restricted real estate broker license within
16 twelve (12) months from the effective date of this Order:

17 1. Respondent shall qualify for, take and pass the real estate broker license
18 examination.

19 2. Submittal of a completed application and payment of the fee for a real
20 estate broker license.

21 The restricted license issued to Respondent shall be subject to all of the provisions
22 of Section 10156.7 of the Business and Professions Code and to the following limitations,
23 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

24 A. The restricted license issued to Respondent may be suspended prior to
25 hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or
26 plea of nolo contendere to a crime which is substantially related to Respondent's fitness or
27 capacity as a real estate licensee.

1 B. The restricted license issued to Respondent may be suspended prior to
2 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner
3 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
4 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted
5 license.

6 C. Respondent shall not be eligible to apply for the issuance of an
7 unrestricted real estate license nor the removal of any of the limitations, conditions or restrictions
8 of a restricted license until three (3) years have elapsed from the date of the issuance of the
9 restricted license to Respondent.

10 D. Respondent shall notify the Commissioner in writing within 72 hours of
11 any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate, Post
12 Office Box 137007, Sacramento, CA 95813-7007. The letter shall set forth the date of
13 Respondent's arrest, the crime for which Respondent was arrested and the name and address of
14 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
15 constitute an independent violation of the terms of the restricted license and shall be grounds for
16 the suspension or revocation of that license.

17 This Order shall become effective at 12 o'clock noon on **MAR 14 2018**

18 IT IS SO ORDERED 2/14/18

19 WAYNE S. BELL
20 REAL ESTATE COMMISSIONER

21 

22 By: DANIEL J. SANDRI
23 Chief Deputy Commissioner