

**FILED**

**July 29, 2011**

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of	)	
	)	
WAZHMA RAHIMI,	)	DRE NO. H-11093 SF
	)	
Respondent.	)	

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DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 28, 2011, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent WAZHMA RAHIMI (hereinafter "Respondent").

FINDINGS OF FACT

1

On March 11, 2011, E. J. HABERER, II made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, Notice of Defense and Discovery Provisions (APA) were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on March 21, 2011.

2

On June 28, 2011, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3

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

4

On or about November 10, 2010, in the United States District Court, Northern District of California, in Case No. CR-10-00116-001 JSW, Respondent was convicted of violating Section 1349 of Title 18 of the United States Code (Conspiracy to Commit Mail Fraud), a felony, and a crime which bears a substantial relationship under Section 2910, Title 10, of the California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondent exists with reference to the conviction set out in Paragraph 4, above, pursuant to Sections 490 and 10177(b) of the Code.

2

The standard of proof applied was clear and convincing proof to a reasonable certainty.

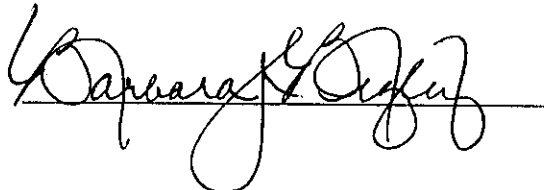
ORDER

All licenses and licensing rights of Respondent WAZHMA RAHIMI, under the provisions of Part I of Division 4 of the Code are revoked.

This Decision shall become effective at 12 o'clock noon on AUG 18 2011.

DATED: 7/28, 2011.

BARBARA J. BIGBY  
Acting Real Estate Commissioner



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FILED

MAR 21 2011

DEPARTMENT OF REAL ESTATE

By K. Contreras

7  
8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 In the Matter of the Accusation Against )  
13 WAZHMA RAHIMI, ) H- 11093 SF  
14 Respondent. ) ACCUSATION  
15 )

16 The Complainant, E. J. HABERER II, in his official capacity as a Deputy Real  
17 Estate Commissioner of the State of California, for cause of Accusation against WAZHMA  
18 RAHIMI, also known as "Wazhma Nilofar Rahimi," (hereinafter "Respondent"), is informed  
19 and alleges as follows:

20 1

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

24 2

25 On or about November 10, 2010, in the United States District Court, Northern  
26 District of California, in Case No. CR-10-00116-001 JSW, Respondent was convicted of  
27 violating Section 1349 of Title 18 of the United States Code (Conspiracy to Commit Mail

1 Fraud), a felony, and a crime which bears a substantial relationship under Section 2910, Title 10,  
2 of the California Code of Regulations, to the qualifications, functions or duties of a real estate  
3 licensee.

4 3

5 The facts alleged in Paragraph 2, above, constitute cause for the suspension or  
6 revocation of all licenses and license rights of Respondent pursuant to the provisions of Sections  
7 490 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to  
8 Qualifications, Functions or Duties of Real Estate Licensee) of the Code.

9 WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
10 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
11 action against all licenses and license rights of Respondent under the Code, and for such other  
12 and further relief as may be proper under the provisions of law.

13  
14  
15   
16 E. J. HABERER II  
17 Deputy Real Estate Commissioner

18  
19 Dated at Oakland, California,  
20 this 11<sup>th</sup> day of March, 2011.