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6	BUREAU OF REAL ESTATE By B. Nicholao
7	
8	BEFORE THE BUREAU OF REAL ESTATE
9	STATE OF CALIFORNIA
10	* * *
11	In the Matter of the Application of:
12) No. H- 11909 SF
13	CYRUS M. YAZDANI, <u>STATEMENT OF ISSUES</u>
14	Respondent.
15	
16	The Complainant, ROBIN S. TANNER, acting in her official capacity as a
17	Supervising Special Investigator of the State of California, brings this Statement of Issues
18	against CYRUS M. YAZDANI ("Respondent"), and is informed and alleges as follows:
19	1
20	Respondent made application to the Bureau of Real Estate of the State of
21	California for a real estate salesperson license on or about May 19, 2014.
22	FAILURE TO DISCLOSE CONVICTIONS
23	2
24	In response to Question 25 of said application, to wit: HAVE YOU EVER BEEN
25	CONVICTED OF ANY VIOLATION OF THE LAW? ALL STATE AND FEDERAL
26	MISDEMEANOR AND FELONY CONVICTIONS, AND ALL MILITARY AND FOREIGN
27	CONVICTIONS, MUST BE DISCLOSED. CONVICTIONS EXPUNGED UNDER PENAL
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1	CODE SECTION 1203.4 OR A SIMILAR STATUTE MUST STILL BE DISCLOSED,"	
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5	On or about September 10, 2009, in the Superior Court of the State of California,	
6	County of Los Angeles, Case No. BA356905, Respondent was convicted of violating section	
7	594(a) of the Penal Code (defacing real and personal property with graffiti), a felony which	l
8	bears a substantial relationship under section 2910, title 10, California Code of Regulations	
9	("the Regulations"), to the qualifications, functions, or duties of a real estate licensee.	
10	4	
11	On or about December 22, 2008, in the Superior Court of the State of California,	
12	County of Los Angeles, Case No. BA341250, Respondent was convicted of violating thirty-two	
13	(32) counts of section 594(a) of the Penal Code (defacing real and personal property with	
14	graffiti), all felonies which bear a substantial relationship under section 2910 of the Regulations,	
15	to the qualifications, functions, or duties of a real estate licensee.	
16	5	
17	On or about July 12, 2007, in the Superior Court of the State of California,	
18	County of Los Angeles, Case No. 7WA17341, Respondent was convicted of violating section	
19	23152(a) of the Vehicle Code (driving while under the influence of alcohol or a controlled	
20	substance), a misdemeanor which bears a substantial relationship under section 2910 of the	
21	Regulations, to the qualifications, functions, or duties of a real estate licensee.	
22	6	
23	On or about July 10, 2007, in the Superior Court of the State of California,	
24	County of Los Angeles, Case No. BA319407, Respondent was convicted of violating four (4)	
25	counts of section 594(a) of the Penal Code (defacing real and personal property with graffiti),	
26	all felonies which bear a substantial relationship under section 2910 of the Regulations, to the	
27	qualifications, functions, or duties of a real estate licensee.	

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2	On or about February 4, 2005, in the Superior Court of the State of California,	
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6	the qualifications, functions, or duties of a real estate licensee.	
7	GROUNDS FOR DENIAL	ĺ
8	8	
9	In failing to reveal the conviction described above in Paragraph 7, Respondent	
10	procured or attempted to procure a real estate license by fraud, misrepresentation, or deceit, or	
11	by making a material misstatement of fact in said application, which constitutes grounds under	
12	sections 480(d) and 10177(a) of the Business and Professions Code ("the Code") for the denial	
13	of Respondent's application for a real estate license.	
14	9	
15	Respondent's criminal convictions, as described above in Paragraphs 3 through	
16	8, constitute grounds under sections 480(a)(1) and 10177(b) of the Code for the denial of	
17	Respondent's application for a real estate license.	
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1	WHEREFORE, Complainant prays that the above-entitled matter be set for
2	hearing and, upon proof of the charges contained herein, that the Commissioner refuse to
3	authorize the issuance of, and deny the issuance of a real estate salesperson license to
4	Respondent, and for such other and further relief as may be proper under other provisions of
5	law.
6	ROBIN S. TANNER
7	Supervising Special Investigator
8	Dated at Oakland, California,
9	this 3 day of <u>December</u> , 2015.
10	DISCOVERY DEMAND
11	Pursuant to Sections 11507.6, et seq. of the Administrative Procedure Act, the Bureau
12	hereby makes demand for discovery pursuant to the guidelines set forth in the Administrative
13	<i>Procedure Act.</i> Failure to provide Discovery to the Bureau may result in the exclusion of
14	witnesses and documents at the hearing or other sanctions that the Office of Administrative
15 16	Hearings deems appropriate.
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