

FILED

MAY 31 2017

BUREAU OF REAL ESTATE

By MR. Roberts

KYLE T. JONES, Counsel (SBN 300751)
Bureau of Real Estate
P.O. BOX 137007
Sacramento, CA 95813-7007

Telephone: (916) 263-8672
(916) 263-3767 (Fax)
(916) 263-7303 (Direct)

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of)	
)	NO. H-12101 SF
NASSER J. ERAKAT,)	
)	<u>ACCUSATION</u>
Respondent.)	
)	

The Complainant, ROBIN TANNER, acting in her official capacity as a
Supervising Special Investigator of the State of California, for this Accusation against NASSER
J. ERAKAT ("Respondent"), is informed and alleges as follows:

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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 ("the Code") as a real estate
salesperson.

CRIMINAL CONVICTION

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On or about June 16, 2014, in the United States District Court, District of
Arizona, Case No. CR 14-00429-001-PHX-GMS, Respondent was convicted of violating Section
846, Title 21, of the United States Code (Conspiracy to possess with intent to distribute
marijuana), a felony and a crime that bears a substantial relationship to the qualifications,

1 functions, or duties of a real estate licensee pursuant to Section 2910, Title 10, of the California
2 Code of Regulations.

3 FAILURE TO NOTIFY BUREAU OF CRIMINAL CONVICTION

4 3

5 On April 19, 2017, a diligent search was made of the records of the Bureau of
6 Real Estate ("Bureau") relating to Respondent's real estate salesperson license No. 01789865.
7 No record or written notice was received from Respondent notifying the Bureau, in writing, of
8 any arrest, conviction, indictment or license disciplinary action.

9 GROUND FOR DISCIPLINE

10 4

11 The facts alleged in Paragraph 2, above, constitute cause under Sections 490
12 (conviction of substantially related crime) and 10177(b) (conviction of substantially related
13 crime) of the Code for the suspension or revocation of all licenses and license rights of
14 Respondent under the Real Estate Law.

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16 Respondent's failure to report the conviction to the Bureau, as described in
17 paragraphs 2 and 3, above, violates Section 10186.2 (a) (conviction reporting requirements) of
18 the Code, and constitutes cause under Section 10177(d) (willful disregard or violation of Real
19 Estate Law) of the Code for suspension or revocation of all licenses and license rights of
20 Respondent under the Real Estate Law.

21 COST RECOVERY

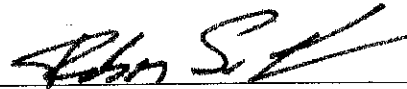
22 6

23 The Bureau will seek to recover cost of the investigation and prosecution of this
24 case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any order
25 issued in resolution of a disciplinary proceeding before the Bureau, the Commissioner may
26 request the administrative law judge to direct a licensee found to have committed a violation of

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1 this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of
2 the case.

3 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
4 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
5 action all licenses and license rights of Respondent under the Real Estate Law, for the cost of
6 investigation and enforcement as permitted by law, and for such other and further relief as may
7 be proper under other provisions of law.

8 

9 ROBIN TANNER
10 Supervising Special Investigator

11 Dated at Oakland, California,

12 this 26th day of May, 2017.
13

14 DISCOVERY DEMAND

15 Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
16 Department hereby makes demand for discovery pursuant to the guidelines set forth in the
17 *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the
18 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
19 Administrative Hearings deems appropriate.
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