

1 ADRIANA Z. BADILAS, Counsel (SBN 283331)
2 Department of Real Estate
3 P. O. Box 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8672 (main)
6 (916) 263-8682 (direct)

FILED

JAN 09 2019

DEPARTMENT OF REAL ESTATE

By X. Knapp

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)

12)
13 BEHNAM HALALI,)

14 Respondent.)
15)

NO. H- 12342 SF

ACCUSATION

16 The Complainant, ROBIN S. TANNER, in her official capacity as a Supervising
17 Special Investigator of the State of California, Department of Real Estate ("Department"), for
18 cause of Accusation against BEHNAM HALALI ("Respondent"), is informed and alleges as
19 follows:

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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 ("Code"), as a real estate
23 broker.

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25 On or about January 5, 2018, in the United States District Court, Northern
26 District of California, Case No. CR-14-0627, Respondent was convicted of violating, Title 18,
27 U.S. Code, Section 1349 (conspiracy to commit wire fraud) and Section 1028A (aggravated

1 identity theft), both felonies and crimes which bear a substantial relationship to the
2 qualifications, functions, or duties of a real estate licensee pursuant to Section 2910, Title 10,
3 California Code of Regulations.

4 3

5 The facts alleged in Paragraph 2, above, constitute cause under Section 490
6 (conviction of crime), Section 10177(b) (conviction of crime), and Section 10177(j) (fraud or
7 dishonest dealings) of the Code for the suspension or revocation of all licenses and license rights
8 of Respondent under the Real Estate Law.

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10 Respondent failed to notify the Department within thirty (30) days of the bringing
11 of the felony indictment that resulted in the convictions set forth in Paragraph 2. Respondent
12 further failed to notify the Department within thirty (30) days of the convictions set forth in
13 Paragraph 2. Such acts or omissions by Respondent violate Section 10186.2 (reporting
14 requirements) of the Code, and constitute cause under Section 10177(d) (willful disregard of
15 Real Estate Law) of the Code for suspension or revocation of all licenses and license rights of
16 Respondent under the Real Estate Law.

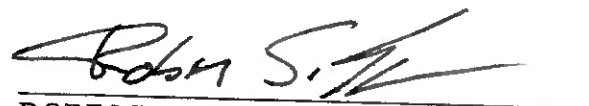
17 COST RECOVERY

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19 Section 10106 of the Code provides, in pertinent part, that in any order issued in
20 resolution of a disciplinary proceeding before the Department, the Commissioner may request
21 the administrative law judge to direct a licensee found to have committed a violation of this
22 part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
23 case.

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27 ///

1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all licenses and license rights of Respondent under the Code, and for
4 such other and further relief, including reasonable investigation and enforcement costs, as may
5 be proper under the provisions of law.

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7 
8 ROBIN S. TANNER
Supervising Special Investigator

9 Dated at Oakland, California,
10 this 24th day of December, 2018.

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12 DISCOVERY DEMAND

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

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