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FILED  
MAY - 8 2007

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) NO. H-26291 LA  
ARMEN SHABAZIAN, )  
Respondent. )

ORDER GRANTING REINSTATEMENT OF LICENSE

On May 29, 1996, a Decision was rendered herein  
revoking the real estate salesperson license of Respondent,  
but granting Respondent the right to apply for and be issued  
a restricted real estate salesperson license. A restricted  
real estate salesperson license was issued to Respondent on  
November 19, 1996. Respondent has operated as a restricted  
licensee without cause for disciplinary action against  
Respondent since that time.

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1                   On January 13, 2005, Respondent petitioned for  
2 reinstatement of said license and the Attorney General of  
3 the State of California has been given notice of the filing  
4 of said petition.

5  
6                   I have considered the petition of Respondent and  
7 the evidence and arguments in support thereof, including  
8 Respondent's record as a restricted licensee. Respondent  
9 has demonstrated to my satisfaction that Respondent meets  
10 the requirements of law for the issuance to Respondent of  
11 an unrestricted real estate salesperson license and that  
12 it would not be against the public interest to issue said  
13 license to Respondent.

14  
15                   NOW, THEREFORE, IT IS ORDERED that Respondent's  
16 petition for reinstatement is granted and that a real estate  
17 salesperson license be issued to Respondent, if Respondent  
18 satisfies the following conditions within nine (9) months  
19 from the date of this Order:

20  
21                   1. Submittal of a completed application and payment  
22 of the fee for a real estate salesperson license.

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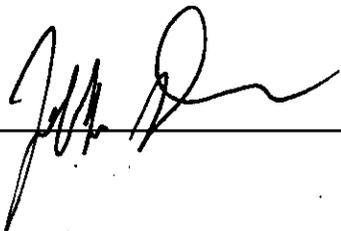
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1                   2. Submittal of evidence of having, since the most  
2 recent issuance of an original or renewal real estate license,  
3 taken and successfully completed the continuing education  
4 requirements of Article 2.5 of Chapter 3 of the Real Estate  
5 Law for renewal of a real estate license.  
6

7                   This Order shall be effective immediately.

8                   Dated:                   4-24-07                  .

9   JEFF DAVI  
10   Real Estate Commissioner

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24                   cc: Armen Shabazian  
25                   1333 Valley View Road, # 16  
26                   Glendale, CA 91202  
27

**FILED**  
JUN - 7 1996  
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

By Tama B. Irone

\* \* \* \* \*

|                                      |                |
|--------------------------------------|----------------|
| In the Matter of the Accusation of ) | No. H-26291 LA |
| )                                    |                |
| )                                    |                |
| ARMEN SHABAZIAN,                     | L-9601166      |
| )                                    |                |
| )                                    |                |
| Respondent.                          |                |
| )                                    |                |
| )                                    |                |

DECISION

The Proposed Decision dated May 13, 1996, of the Administrative Law Judge of the Office of Administrative Hearings, is hereby adopted as the Decision of the Real Estate Commissioner in the above-entitled matter.

The Decision suspends or revokes one or more real estate licenses on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension 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.

This Decision shall become effective at 12 o'clock noon on June 27, 1996.

IT IS SO ORDERED

5/29/96

JIM ANTT, JR.  
Real Estate Commissioner

Jm Antt Jr

BEFORE THE  
DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

In the Matter of the Accusation )  
of )

ARMEN SHABAZIAN, )

Respondent. )

No. H 26291 LA

L-9601166

PROPOSED DECISION

On May 7, 1996, in Los Angeles, California, Joseph D. Montoya, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Ms. V. Ahda Sands, staff counsel, represented the complainant.

Respondent appeared, and was represented by counsel, Mr. Frank Buda.

Oral and documentary evidence was received, the matter was argued by counsel, the record was closed and the matter was submitted.

The Administrative Law Judge finds as follows:

FINDINGS OF FACT

1. The Accusation was filed by Peter F. Hurst, a Deputy Real Estate Commissioner, Department of Real Estate, State of California, acting solely in his capacity as such.

2. Respondent is presently licensed and has licensing rights under the California Real Estate Law as a real estate salesperson. He has held this license since September 26, 1991, without prior imposition of discipline.

3. On March 30, 1994 Respondent entered a plea of Nolo Contendere to a charge of violating section 484(f)(2) of the Penal Code, fraudulent use of another person's credit card, a misdemeanor, in the Municipal Court, Glendale Judicial District, and was convicted of that crime. He was placed on three years

summary probation for that offense, on several conditions, including that he make restitution and perform community service.

4. On May 2, 1995, the aforementioned Court granted early termination of Respondent's probation, and dismissed the case pursuant to section 1203.4 of the Penal Code.

5. The aforementioned misdemeanor is one involving moral turpitude, and is one substantially related to the qualifications, duties, and functions of a real estate salesperson. The crime involves the taking of another's property for the personal gain of Respondent; under Department regulations such a crime is "substantially related." (See 10 CRC 2910(8).)

6. The conviction referred to in Finding number 3, above, is the only conviction suffered by the Respondent, who is twenty-eight years old.

7. During his career as a real estate salesperson, Respondent has participated in numerous transactions wherein he handled monies for the parties to such transactions, without any complaint.

8. Respondent has a stable family situation, in that he lives with his parents, and contributes to their support. He has a stable relationship with his girlfriend, and he attends church on a regular basis. He is involved with the local Armenian community, as well holding memberships in real estate professional organizations.

9. The respondent fully complied with all of the terms of his probation, including restitution, earlier than required by the court, which dismissed the case.

10. Respondent appeared sorry for his criminal act, and vowed not to violate the law again. He testified that his criminal act was "stupid", and recognized such behavior could jeopardize his right to work as a real estate salesperson. He was less forthcoming with acknowledgements that his actions were fundamentally immoral and dishonest.

11. Two years have passed since the conviction.

#### DETERMINATION OF ISSUES

1. It is determined that cause exists to suspend or revoke the respondent's license pursuant to Sections 490 and 10177(b) of the Business and Professions Code, and Title 10,

section 2910 of the California Code of Regulations, in that the crime of which Respondent was convicted is a crime of moral turpitude, substantially related to the duties, activities, and functions of a real estate agent.

2. It is determined that Respondent has taken steps toward rehabilitation, as defined in 10 CRC 2912, in that two years have passed since his conviction, the charge has been dismissed, he has made restitution, has promptly discharged the conditions of his probation, and has demonstrated a lifestyle indicating he is unlikely to violate the law in the future.

3. Notwithstanding the foregoing, based on Finding 10, above, it is determined that Respondent has not established complete rehabilitation.

4. It is determined that it is in the best interests of the Public, and the Respondent, that he be allowed to continue in his occupation, subject to restrictions, so as to complete his rehabilitation while tending to prevent harm to any consumers of his services.

#### ORDER

WHEREFORE, THE FOLLOWING ORDER IS HEREBY MADE:

All licenses and licensing rights of Respondent Armen Shabazian under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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

2. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the

Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

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

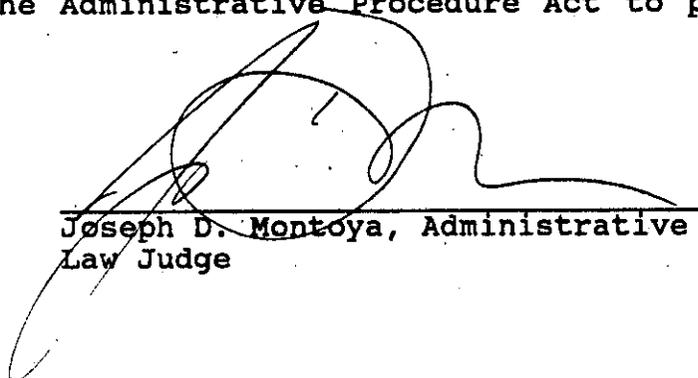
4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing real estate broker on a form approved by the Department of Real Estate which shall certify:

(a) That the employing broker has read the Decision of the Commissioner which granted the right to a restricted license; and

(b) That the employing broker will exercise close supervision over the performance by the restricted licensee relating to activities for which a real estate license is required.

5. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

May 13, 1996

  
Joseph D. Montoya, Administrative  
Law Judge

*Sacto  
May*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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FILE  
JAN 30 1996  
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of )  
ARMEN SHABAZIAN, )  
Respondent. )

Case No. H-26291 LA  
OAH No. L-9601166

By Laura B. Crane

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 314 West First Street, Los Angeles, California, on MAY 7, 1996, at the hour of 1:30 p.m. or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

Dated: January 30, 1996

DEPARTMENT OF REAL ESTATE

By: V. Ahda Sands  
V. AHDA SANDS, Counsel

cc: Armen Shabazian  
On Central Realty, Inc.  
Vicken O. Berjikian, Esq.  
Sacto.  
OAH

*Handwritten signature/initials*

1 V. Ahda Sands, Counsel  
2 Department of Real Estate  
3 107 South Broadway, Room 8107  
4 Los Angeles, California 90012  
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6  
7  
8  
9  
10 (213) 897-3937

**FILED**  
AUG 16 1995  
DEPARTMENT OF REAL ESTATE

By Laura B. Orm

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \* \* \*

11 In the Matter of the Accusation of ) No. H-26291 LA  
12 ARMEN SHABAZIAN, ) ACCUSATION  
13 )  
14 Respondent. )

15 The Complainant, Peter F. Hurst, a Deputy Real Estate  
16 Commissioner of the State of California, for cause of accusation  
17 against ARMEN SHABAZIAN (respondent), alleges as follows:

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18  
19 The Complainant, Peter F. Hurst, a Deputy Real Estate  
20 Commissioner of the State of California, makes this Accusation in  
21 his official capacity:

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22  
23 Respondent is presently licensed and/or has license  
24 rights under the Real Estate Law (Part 1 of Division 4 of the  
25 California Business and Professions Code) (Code) as a real estate  
26 salesperson.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary action against the license and license rights of respondent ARMEN SHABAZIAN, under the Real Estate Law and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California  
this 16th day of August, 1995.

PETER F. HURST  

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Deputy Real Estate Commissioner

cc: Armen Shabazian  
Sacto.  
JDF  
VAS