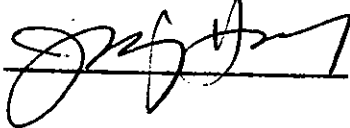


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FILED
SEP - 7 2001

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-27828 LA
PANOS ZOHRAB KESHISHIAN,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On April 20, 1999, a Decision was rendered herein revoking the real estate salesperson license of Respondent, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent or about May 13, 1999, and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On April 20, 2001, Respondent petitioned for Reinstatement of said real estate salesperson license and the Attorney General of the State of California has been given notice of the filing of said petition.

1
2 I have considered the petition of Respondent and
3 the evidence and arguments in support thereof. Respondent
4 has demonstrated to my satisfaction that Respondent meets
5 the requirements of law for the issuance to Respondent of
6 an unrestricted real estate salesperson license and that
7 it would not be against the public interest to issue said
8 license to Respondent PANOS ZOHRAB KESHISHIAN.

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

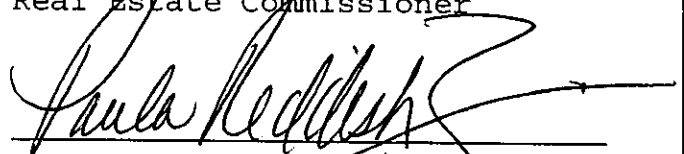
14 1. Submittal of a completed application and payment
15 of the fee for a real estate salesperson license.

16 2. Submittal of evidence of having, since the most
17 recent issuance of an original or renewal real estate license,
18 taken and successfully completed the continuing education
19 requirements of Article 2.5 of Chapter 3 of the Real Estate
20 Law for renewal of a real estate license.

21 This Order shall be effective immediately.

22 Dated: August 29, 2001

23 PAULA REDDISH ZINNEMANN
24 Real Estate Commissioner

25 
26
27

cc: Panos Zohrab Keshishian
P.O. Box 261236
Encino, CA 91426

SACTO

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FILED

APR 23, 1999

DEPARTMENT OF REAL ESTATE

By _____

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	NO. H-27828 LA
)	
PANOS ZOHRAB KESHISHIAN)	<u>STIPULATION AND AGREEMENT</u>
)	
Respondent.)	

It is hereby stipulated by and between PANOS ZOHRAB KESHISHIAN (sometimes referred to as Respondent), and his attorney, M. Stephen Davis, and the Complainant, acting by and through James R. Peel, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on October 16, 1998, in this matter.

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of this Stipulation and Agreement.

1 2. Respondent has received, read and understands the
2 Statement to Respondent, the Discovery Provisions of the APA and
3 the Accusation filed by the Department of Real Estate in this
4 proceeding.

5 3. On November 2, 1998, Respondent filed a Notice of
6 Defense, pursuant to Section 11506 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 said Notice of Defense. Respondent acknowledges that he
10 understands that by withdrawing said Notice of Defense he will
11 thereby waive his right to require the Commissioner to prove the
12 allegations in the Accusation at a contested hearing held in
13 accordance with the provisions of the APA and that he will waive
14 other rights afforded to him in connection with the hearing, such
15 as the right to present evidence in defense of the allegations in
16 the Accusation and the right to cross-examine witnesses.

17 4. Respondent, pursuant to the limitations set forth
18 below, although not admitting or denying the truth of the
19 allegations, will not contest the factual allegations contained in
20 the Accusation filed in this proceeding and the Real Estate
21 Commissioner shall not be required to provide further evidence of
22 such allegations.

23 5. It is understood by the parties that the Real Estate
24 Commissioner may adopt the Stipulation and Agreement as his
25 decision in this matter thereby imposing the penalty and sanctions
26 on Respondent's real estate license and license rights as set
27 forth below in the "Order". In the event that the Commissioner in



1 his discretion does not adopt the Stipulation and Agreement in
2 Settlement, it shall be void and of no effect, and Respondent
3 shall retain the right to a hearing and proceeding on the
4 Accusation under all the provisions of the APA and shall not be
5 bound by any stipulation or waiver made herein.

6 6. The Order or any subsequent Order of the Real Estate
7 Commissioner made pursuant to this Stipulation and Agreement shall
8 not constitute an estoppel, merger or bar to any further
9 administrative or civil proceedings by the Department of Real
10 Estate with respect to any matters which were not specifically
11 alleged to be causes for accusation in this proceeding.

12 7. This Stipulation is entered into by each party with
13 the express understanding and agreement that it is to be used for
14 the purposes of settling these proceedings only and that this
15 Stipulation shall not be deemed, used, or accepted as an
16 acknowledgment or stipulation in any other civil or administrative
17 proceeding to which this Department is not a party.

18 DETERMINATION OF ISSUES

19 By reason of the foregoing stipulations and waivers and
20 solely for the purpose of settlement of the pending Accusation
21 without a hearing, it is stipulated and agreed that the following
22 determination of issues shall be made:

23 I

24 The conduct of Respondent, PANOS ZOHRAB KESHISHIAN, as
25 alleged in the Accusation, is grounds for the suspension or
26 revocation of all of the real estate licenses and license rights
27



1 of Respondent under the provisions of Sections 490 and 10177(b) of
2 the Business and Professions Code.

3 ORDER

4 All licenses and licensing rights of Respondent PANOS
5 ZOHRAB KESHISHIAN under the Real Estate Law are revoked; provided,
6 however, a restricted real estate salesperson license shall be
7 issued to Respondent pursuant to Section 10156.5 of the Business
8 and Professions Code if Respondent makes application therefor and
9 pays to the Department of Real Estate the appropriate fee for the
10 restricted license within 90 days from the effective date of this
11 Decision. The restricted license issued to Respondent shall be
12 subject to all of the provisions of Section 10156.7 of the
13 Business and Professions Code and to the following limitations,
14 conditions and restrictions imposed under authority of Section
15 10156.6 of that Code:

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

21 2. The restricted license issued to Respondent may be
22 suspended prior to hearing by Order of the Real Estate
23 Commissioner on evidence satisfactory to the Commissioner that
24 Respondent has violated provisions of the California Real Estate
25 Law, the Subdivided Lands Law, Regulations of the Real Estate
26 Commissioner or conditions attaching to the restricted license.

27



1 3. Respondent shall not be eligible to apply for the
2 issuance of an unrestricted real estate license nor for the
3 removal of any of the conditions, limitations or restrictions of a
4 restricted license until one year has elapsed from the effective
5 date of this Decision.

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

11 (a) That the employing broker has read the
12 Accusation and Stipulation and Agreement of the Commissioner which
13 granted the right to a restricted license; and

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

18 5. Respondent shall, within nine months from the
19 effective date of this Decision, present evidence satisfactory to
20 the Real Estate Commissioner that Respondent has, since the most
21 recent issuance of an original or renewal real estate license,
22 taken and successfully completed the continuing education
23 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
24 for renewal of a real estate license. If Respondent fails to
25 satisfy this condition, the Commissioner may order the suspension
26 of the restricted license until the Respondent presents such
27 evidence. The Commissioner shall afford Respondent the

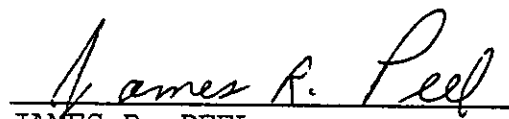


1 opportunity for a hearing pursuant to the Administrative Procedure
2 Act to present such evidence.
3

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5 Petition for reinstatement of a revoked real estate
6 license is controlled by Section 11522 of the Government Code. A
7 copy of Section 11522 is attached hereto for the information of
8 respondent.

9 If and when application is made for a real estate
10 license through a petition for reinstatement, all competent
11 evidence of rehabilitation presented by the respondent will be
12 considered by the Real Estate Commissioner. A copy of the
13 Commissioner's Criteria of Rehabilitation is attached hereto.

14 DATED: April 1, 1999

15 
16 JAMES R. PEEL
17 Counsel for Complainant

18
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21 * * * *

22 I have read the Stipulation and Agreement in Settlement,
23 and its terms are understood by me and are agreeable and
24 acceptable to me. I understand that I am waiving rights given to
25 me by the California Administrative Procedure Act (including but
26 not limited to Sections 11506, 11508, 11509 and 11513 of the
27



1 Government Code), and I willingly, intelligently and voluntarily
2 waive those rights, including the right of requiring the
3 Commissioner to prove the allegations in the Accusation at a
4 hearing at which I would have the right to cross-examine witnesses
5 against me and to present evidence in defense and mitigation of
6 the charges.

7 DATED: 3-19-99


PANOS ZOHRAE KESHISHIAN
Respondent

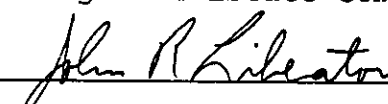
8 DATED: 3/29/99


M. STEPHEN DAVIS
Counsel for Respondent

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14 The foregoing Stipulation and Agreement is hereby adopted as
15 my Decision in this matter and shall become effective at 12 o'
16 clock noon on May 13, 1999.

17 IT IS SO ORDERED April 20, 1999.

18
19 JOHN R. LIBERATOR
Acting Real Estate Commissioner

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198-0224-020
BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
FEB 02 1999
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of)
)
PANOS ZOHRAB KESHISHIAN,)
)
Respondent.)

Case No. H-27828 By LA

NOTICE OF HEARING ON ACCUSATION

L-1998 110 246

To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 107 South Broadway, 2nd. Floor, Los Angeles, California 90012 on March 4, 1999 at 9:00 a.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: February 2, 1999

DEPARTMENT OF REAL ESTATE

By:

James R. Peel
JAMES R. PEEL
Counsel

cc: KISHISHIAN
Stephen Davis,
DR, OAH & SACTO

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FILED
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DEPARTMENT OF REAL ESTATE

198-0224-020
BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

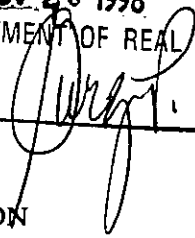
* * *

In the Matter of the Accusation of)
)
PANOS ZOHRAB KISHISHIABN,)
)
Respondent.)

Case No. H-27828 By LA

NOTICE OF HEARING ON ACCUSATION

L-1998 110 246



To the above-named Respondents:

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 107 South Broadway, 2nd. Floor, Los Angeles, California 90012 on January 7, 1999 at 9:00 a.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: November 19, 1998

DEPARTMENT OF REAL ESTATE

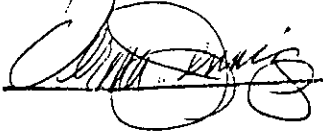
By: James R. Peel
JAMES R. PEEL
Counsel

cc: Panos Z Keshishian
DR, OAH & SACTO

SANDS
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1 V. AHDA SANDS, Counsel
2 State Bar No. 146983
3 Department of Real Estate
4 107 South Broadway, Room 8107
5 Los Angeles, California 90012
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9
10 (213) 897-3937

FILED
OCT 16 1998
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11	In the Matter of the Accusation of)	No. H-27828 LA
12	PANOS ZOHRAB KESHISHIAN,)	<u>A C C U S A T I O N</u>
13	Respondent.)	
14	_____)	

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for cause of accusation
17 against PANOS ZOHRAB KESHISHIAN (Respondent) alleges as follows:

18 1.

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

23 2.

24 The Complainant, Thomas McCrady, acting in his official
25 capacity as a Deputy Real Estate Commissioner of the State of
26 California, makes this Accusation against Respondent.

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3.

Respondent was originally licensed by the Department of Real Estate of the State of California (Department) as a real estate salesperson on December 22, 1989.

4.

On or about February 10, 1997, in the Burbank Judicial District, County of Los Angeles, State of California, Respondent was convicted upon a no contest plea to violation of one count of Section 484(a) of the California Penal Code (theft--switching the price of an item from \$929.99 to \$79.90), a misdemeanor crime that involves moral turpitude and is substantially related under Section 2910, Title 10, Chapter 6 of the California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

5.

In aggravation, on February 10, 1997, Respondent received a sentence which included one day in jail and three years of probation. Respondent will be on probation until February 10, 2000.

6.

The facts, as alleged above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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