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FILED
JAN 31 2001

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

By 

* * * * *

In the Matter of the Application of)
SASAN DJARIRI,
Respondent.

No. H-28764 LA

L-2000100063

DECISION

The Proposed Decision, dated January 8, 2001 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.

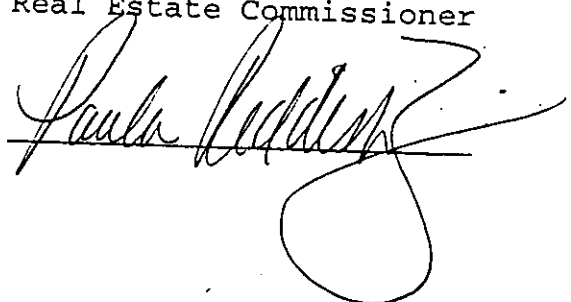
The application for a real estate salesperson license is denied. There is no statutory restriction on when application may again be made for this license. If and when application is again made for this license, all competent evidence of rehabilitation presented by respondent will be considered by the Real Estate Commissioner. A copy of the Commissioner's Criteria of Rehabilitation is appended hereto for the information of respondent.

This Decision shall become effective at 12 o'clock noon on February 20, 2001

IT IS SO ORDERED

January 24, 2001

PAULA REDDISH ZINNEMANN
Real Estate Commissioner



**BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA**

In the Matter of the Application of:

SASAN DJARIRI,

Respondent.

Case No. H-28764 LA

OAH No. L2000100063

PROPOSED DECISION

This matter came on regularly for hearing before Calvin W. Torrance, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California on November 14, 2000.

Complainant, Thomas McCrady, was represented by Mary Work, Real Estate Counsel.

Respondent, Sasan Djariri, ("Respondent"), was present and represented himself.

Oral and documentary evidence was received. The record was held open for one week to give Respondent an opportunity to file a document indicating that he had registered as a drug offender. No such document was received. On November 21, 2000, the record was closed and the matter was deemed submitted for decision.

On November 30, 2000, Complainant's counsel filed a letter noting Respondent's failure to serve and file the additional evidence. On his own motion, the Administrative Law Judge re-opened the record for the purpose of marking that letter for identification. The letter was marked as Complainant's Exhibit 5 for identification. The record was closed on November 30, 2000, and the matter was deemed submitted for decision.

FACTUAL FINDINGS

The Administrative Law Judge makes the following Factual Findings:

1. The First Amended Statement of Issues was made by Thomas McCrady, Complainant, who is a Deputy Real Estate Commissioner of the State of California, acting in his official capacity.

2. On October 27, 1999, Respondent submitted an application to the Department of Real Estate ("the Department") for a real estate salesperson's license, on the condition that any license issued as a result of that application would be subject to completion of certain educational requirements as set forth in Business and Professions Code section 10153.4. The application was denied and this matter ensued.
3. On December 2, 1998, in Municipal Court, Malibu Judicial District, County of Los Angeles, State of California, in Case No. SA033783, Respondent was convicted, on his plea of nolo contendere, of a violation of Health and Safety Code section 11359 (possession of marijuana/hash for sale), a felony crime involving moral turpitude, and one substantially related to the qualifications, functions and duties of a real estate licensee.
4. The facts and circumstances underlying the conviction are that Respondent sold marijuana for \$20 on each of two occasions to a man.
5. Imposition of sentence was suspended, and Respondent was placed on formal probation for a period of three (3) years. Among the probation conditions was that he complete a 90-day sober living house program at Hoffer House. He was also ordered to pay restitution and a fine totaling two hundred fifty dollars (\$250) and reimburse Hoffer House in the amount of seven hundred twenty dollars (\$720) for the cost of his stay there, in monthly installments of \$30. He was also required to register as a drug offender.
6. Respondent completed the 90-day sober living house program at Hoffer House. He paid the \$250 restitution and a fine, but was behind on his payments to Hoffer House. At the time of the hearing, he was supposed to have paid \$720 but had paid only \$480.
7. He worked at Sun Co. in Chatsworth for the three months prior to the hearing; before that he worked at Staples office supply store. He was told by a representative of Fred Sands Realty that if he acquired an unrestricted license, they would hire him.
8. He passed 60 drug tests administered during probation, but his probation officer refused to give him a letter to bring to the hearing certifying that he was doing well.

LEGAL CONCLUSIONS

Pursuant to the foregoing Factual Findings, the Administrative Law Judge makes the following legal conclusions:

1. Cause exists for the denial of respondent's application pursuant to Business and Professions Code section 480, subdivision (a), as that section interacts with section 10177 subdivision (b), for conviction of a crime, as set forth in Findings 3, 4 and 5.

2. Respondent is still on probation and is scheduled to be so until December of 2001. He has met almost none of the Department's criteria for rehabilitation as set forth in Title 10, California Code of Regulations, section 2911. The only one which he has met is that two years has passed since the conviction [subdivision (a)].

3. Unfortunately, Respondent has not arrived at even the nascent stages of rehabilitation. Under the circumstances, the public would be subjected to unacceptable risk if he were to receive even a restricted license to act as a real estate salesperson.

ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

Respondent's application for a real estate salesperson license is denied.

DATED: January 8, 2001.

Calvin W. Torrance

CALVIN W. TORRANCE

Administrative Law Judge

Office of Administrative Hearings

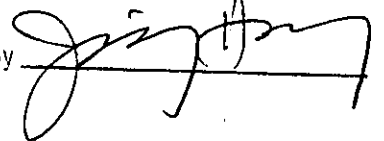
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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) Case No. H-28764 LA
SASAN DJARIRI,) OAH No. L-2000100063
_____) Respondent(s)

FILED
OCT 11 2000
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

By 

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on TUESDAY, NOVEMBER 14, 2000, at the hour of 1:30 P.M., or as soon thereafter as the matter can be heard, upon the Statement of Issues served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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.

The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

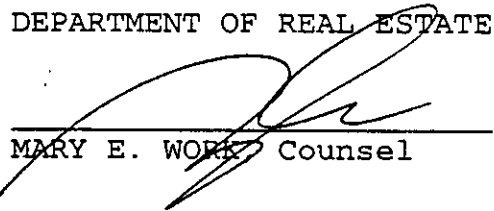
You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real 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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: October 11, 2000

By


MARY E. WORK Counsel

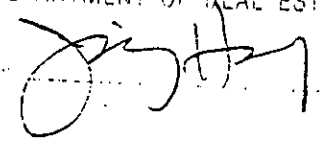
cc: Sasan Djariri
Sacto.
OAH
CW

SATO

MARY E. WORK, Counsel
State Bar No. 175887
Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6916

FILED
SEP 29 2006
DEPARTMENT OF REAL ESTATE



BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
SASAN DJARIRI,) NO. H-28764 LA
Respondent.) FIRST AMENDED
STATEMENT OF ISSUES

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against SASAN DJARIRI (hereinafter "Respondent") is informed and alleges in his official capacity as follows:

I

On or about October 27, 1999, Respondent applied to the Department of Real Estate of the State of California for a real estate salesperson license with the knowledge and understanding that any license issued as a result would be subject to the conditions of Section 10153.4 of the Business and Professions Code.

II

On or about December 2, 1998, in the Municipal Court of Malibu Judicial District, County of Los Angeles, State of

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California, Docket Number SA033783, Respondent, upon a plea of nolo contendere, was convicted of violating Health & Safety Code Section 11359 (possession of marijuana/hash for sale) a felony crime involving moral turpitude and substantially related to the qualifications, functions or duties of a real estate licensee.

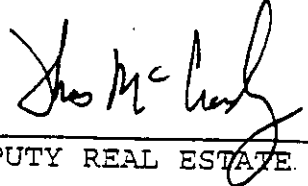
III

The crimes for which Respondent was convicted, as described in Paragraph II, constitute cause for denial of his application for a real estate license under Sections 480(a), 10177(b) of the California Business and Professions Code.

The Statement of Issues is brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11529 of the Government Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of a real estate broker license to Respondent, SASAN DJARIRI, and for such other and further relief as may be proper in the premises.

Dated at Los Angeles, California
this 29th day of September, 2000.



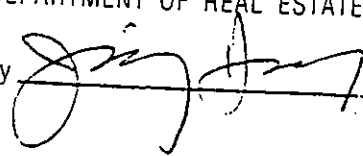
DEPUTY REAL ESTATE COMMISSIONER

cc: Sasan Djariri
Thomas McCrady
Sacto
CW

5/21/00

1 MARY E. WORK, Counsel
State Bar No. 175887
2 Department of Real Estate
320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982
Direct - (213) 576-6916

FILED
SEP 20 2000

DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In the Matter of the Application of)
12 SASAN DJARIRI,) NO. H-28764 LA
13 Respondent.) STATEMENT OF ISSUES
14 _____)

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against SASAN DJARIRI (hereinafter "Respondent") is informed and
18 alleges in his official capacity as follows:

I

20 Respondent, pursuant to the provisions of Section
21 10151 of the Business and Professions Code, made application to
22 the Department of Real Estate of the State of California
23 ("Department") for a real estate salesperson license on or about
24 October 27, 1999.

II

26 On or about December 2, 1998, in the Municipal Court

27

1 of Malibu Judicial District, County of Los Angeles, State of
2 California, Docket Number SA033783, Respondent, upon a plea of
3 nolo contendere, was convicted of violating Health & Safety Code
4 Section 11359 (possession of marijuana/hash for sale) a felony
5 crime involving moral turpitude and substantially related to the
6 qualifications, functions or duties of a real estate licensee.

7
8 III

9 The crimes for which Respondent was convicted, as
10 described in Paragraph II, constitutes cause for denial of his
11 application for a real estate license under Sections 480(a),
12 10177(b) of the California Business and Professions Code.

13 The Statement of Issues is brought under the
14 provisions of Section 10100, Division 4 of the Business and
15 Professions Code of the State of California and Sections 11500
16 through 11529 of the Government Code.

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