

FILED
MAY 27 2008
DEPARTMENT OF REAL ESTATE

[Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-30159 LA
PRAKASH CHANDRAN,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On December 8, 2003, a Decision was rendered herein
revoking Respondent's real estate broker license, but granting
Respondent the right to the issuance of a restricted real
estate broker license. A restricted real estate broker license
was issued to Respondent on January 2, 2004.

On or about October 26, 2006, Respondent petitioned
for reinstatement of said real estate broker license and the
Attorney General of the State of California has been given
notice of the filing of said petition.

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///

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

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

12 Submittal of a completed application and payment of
13 the fee for a real estate broker license.

14 This Order shall become effective immediately.

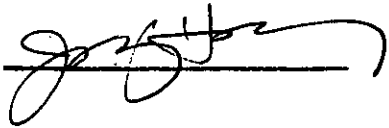
15 DATED: 4-30-08.

16 JEFF DAVI
17 Real Estate Commissioner
18
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MARY E. WORK, Counsel
SBN 175887
Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982
(213) 576-6916 (Direct)

FILED
DEC 12 2003
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
PRAKASH CHANDRAN)	NO. H-30159 LA
)	L-2003070671
)	<u>STIPULATION AND AGREEMENT</u>
)	
Respondent.)	

It is hereby stipulated by and between PRAKASH CHANDRAN (hereinafter referred to as "Respondent") and his attorney of record Frank M. Buda and the Complainant, acting by and through Mary E. Work, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Accusation filed on June 20, 2003, 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

1 submitted solely on the basis of the provisions of this
2 Stipulation and Agreement.

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

8 3. On July 18, 2003, Respondent filed a Notice of
9 Defense pursuant to Section 11506 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 Accusation. Respondent hereby freely and voluntarily withdraws
12 said Notice of Defense. Respondent acknowledges that he
13 understands that by withdrawing said Notice of Defense he will
14 thereby waive his right to require the Commissioner to prove the
15 allegations in the Accusation at a contested hearing held in
16 accordance with the provisions of the APA and that he will waive
17 other rights afforded to him in connection with the hearing such
18 as the right to present evidence in defense of the allegations in
19 the Accusation and the right to cross-examine witnesses.

20 4. This Stipulation and Agreement (hereinafter
21 "Stipulation") is based on the factual allegations contained in
22 the Accusation filed in this proceeding. In the interest of
23 expedience and economy, Respondent chooses not to contest these
24 factual allegations, but to remain silent and understands that,
25 as a result thereof, these factual statements, without being
26 admitted or denied, will serve as a prima facie basis for the
27 disciplinary action stipulated to herein. This Stipulation and

1 Respondent's decision not to contest the Accusation are hereby
2 expressly limited to this proceeding and made for the sole
3 purpose of reaching an agreed disposition of this proceeding.
4 Respondent's decision not to contest the factual allegations is
5 made solely for the purpose of effectuating this Stipulation and
6 is intended by Respondent to be non-binding upon any actions
7 against Respondent by third parties. The Real Estate
8 Commissioner shall not be required to provide further evidence to
9 prove such allegations.

10 5. This Stipulation and any Order made pursuant to the
11 Stipulation shall have no collateral estoppel or res judicata
12 effect in any proceedings in which Respondent and the Department
13 (or the Department's representative) are not parties. The
14 Stipulation is made by Respondent and received by the
15 Commissioner and the Department, with the express understanding
16 and agreement that it is for the purpose of settling these
17 proceedings only, and that this Stipulation is not intended as,
18 and shall not be deemed, used, or accepted as an acknowledgment
19 or admission of fact in any other judicial, administrative, or
20 other proceeding to which the Department is not a party.

21 6. It is understood by the parties that the Real
22 Estate Commissioner may adopt the Stipulation and Agreement as
23 her Decision in this matter, thereby imposing the penalty and
24 sanctions on Respondent's real estate license and license rights
25 as set forth in the below "Order". In the event that the
26 Commissioner in her discretion does not adopt the Stipulation and
27 Agreement, it shall be void and of no effect, and Respondent

1 shall retain the right to a hearing and proceeding on the
2 Accusation under all the provisions of the APA and shall not be
3 bound by any admission or waiver made herein.

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

11 DETERMINATION OF ISSUES

12 By reason of the foregoing stipulations, admissions and
13 waivers and solely for the purpose of settlement of the pending
14 Accusation without a hearing, it is stipulated and agreed that
15 the following determination of issues shall be made:

16 The conduct, acts and/or omissions of Respondent,
17 PRAKASH CHANDRAN, as set forth in the Accusation constitute cause
18 to suspend or revoke the real estate license and license rights
19 of Respondent PRAKASH CHANDRAN, under the provisions of Sections
20 498 and 10177(a) of the Code.

21 ORDER

22 WHEREFORE, THE FOLLOWING ORDER is made:

23 All licenses and licensing rights of Respondent PRAKASH
24 CHANDRAN, under the Real Estate Law, are revoked; provided,
25 however, a restricted real estate broker license shall be issued
26 to Respondent pursuant to Section 10156.5 of the Code if
27 Respondent makes application therefor and pays to the Department

1 of Real Estate the appropriate fee for the restricted license
2 within 90 days from the effective date of this Decision. The
3 restricted license issued to Respondent shall be subject to all
4 of the provisions of Section 10156.7 of the Code and to the
5 following limitations, conditions and restrictions imposed under
6 authority of Section 10156.6 of the Code:

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

12 2. The restricted license issued to Respondent may be
13 suspended prior to hearing by Order of the Real Estate
14 Commissioner on evidence satisfactory to the Commissioner that
15 Respondent has violated provisions of the California Real Estate
16 Law, the Subdivided Lands Law, Regulations of the Commissioner or
17 conditions attaching to the restricted license.

18 3. Respondent shall not be eligible to apply for the
19 issuance of an unrestricted real estate license nor for the
20 removal of any of the conditions, limitations or restrictions of
21 a restricted license until (2) years have elapsed from the
22 effective date of this Decision.

23 4. Respondent shall, within nine months from the
24 effective date of this Decision, present evidence satisfactory to
25 the Real Estate Commissioner that Respondent has, since the most
26 recent issuance of an original or renewal real estate license,
27 taken and successfully completed the continuing education

1 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
2 for renewal of a real estate license. If Respondent fails to
3 satisfy this condition, the Commissioner may order suspension of
4 the restricted license until Respondent presents such evidence.
5 The Commissioner shall afford Respondent the opportunity for a
6 hearing pursuant to the Administrative Procedure Act to present
7 such evidence.

8
9 DATED: 11-19-03


MARY E. WORK, Counsel for the
Department of Real Estate

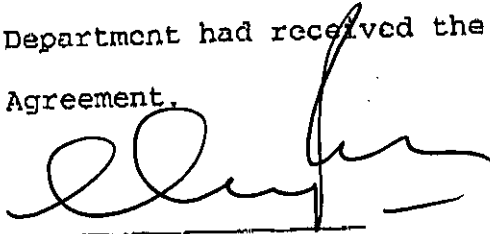
11 * * *

12 I have read the Stipulation and Agreement, and its
13 terms are understood by me and are agreeable and acceptable to
14 me. I understand that I am waiving rights given to me by the
15 California Administrative Procedure Act (including but not
16 limited to Sections 11506, 11508, 11509 and 11513 of the
17 Government Code), and I willingly, intelligently and voluntarily
18 waive those rights, including the right of requiring the
19 Commissioner to prove the allegations in the Accusation at a
20 hearing at which I would have the right to cross-examine
21 witnesses against me and to present evidence in defense and
22 mitigation of the charges.

23 Respondent can signify acceptance and approval of the
24 terms and conditions of this Stipulation and Agreement by faxing
25 a copy of the signature page, as actually signed by Respondent,
26 to the Department at the following telephone/fax number: (213)
27

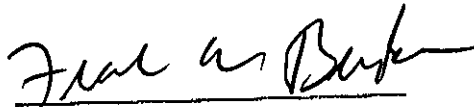
576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of his or her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: November 14, 2003


PRAKASH CHANDRAN,
Respondent

I have reviewed the Stipulation and Agreement as to form and content have advised my client accordingly.

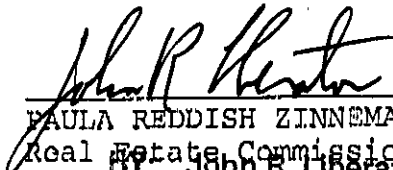
DATED: 11-14-03


FRANK M. BUDA

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision as to Respondent PRAKASH CHANDRAN and shall become effective at 12 o'clock noon on January 2, 2004.

IT IS SO ORDERED Dec. 8, 2003.


PAULA REDDISH ZINNEMAN
Real Estate Commissioner

BY: John R. Liberator

Chief Deputy Commissioner

SACTO

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

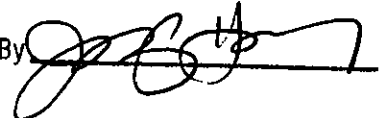
In the Matter of the Accusation of)
)
 PRAKASH CHANDRAN,)
)
 _____)
 Respondent.

Case No. **H-30159 LA**

OAH No. L-2003070671

FILED
AUG 21 2003
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON ACCUSATION

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 **MONDAY, NOVEMBER 17, 2003**, at the hour of **1:30 P.M.**, or as soon thereafter as the matter can be heard, upon the Accusation 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.

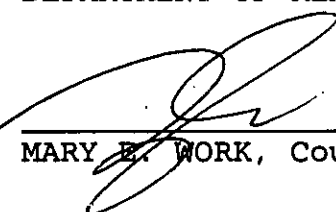
You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented 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.

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

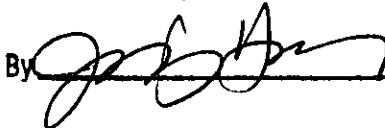
Dated: August 21, 2003

By 
MARY E. WORK, Counsel

cc: Prakash Chandran
Frank M. Buda, Esq.
Sacto.
OAH

SALTO

MARY E. WORK, Counsel
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FILED
JUN 20 2003
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-30159 LA
	)	
PRAKASH CHANDRAN,	)	<u>ACCUSATION</u>
	)	
Respondent.	)	
	)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against PRAKASH CHANDRAN (hereinafter "Respondent"), is informed and alleges as follows:

I

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondent in her official capacity.

II

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 (hereinafter "Code") as a real estate broker.

1 III

2 Respondent was issued a real estate broker license on
3 or about July 16, 2000, following Respondent's real estate broker
4 license application filed on or about July 5, 2000.

5 IV

6 In response to Question No. 19A of Respondent's
7 application described in Paragraph III above, to wit: "Have you
8 ever had a denied, restricted or revoked business or professional
9 license (including real estate), in California or any other
10 state?" Respondent answered "No."

11 V

12 On or about July 3, 1999, before the Registrar of
13 Contractors, Contractors State License Board, Department of
14 Consumers Affairs State of California, in Case No. C97-386, by
15 Stipulation and Order, that Respondent's Contractor's License No.
16 548598 was revoked, with said revocation stayed and Respondent
17 placed on probation for 5 years.

18 VI

19 Respondent's failure to reveal the discipline set forth
20 in Paragraph V above, in his application for license as a real
21 estate broker, constitutes the procurement of a real estate
22 license by fraud, misrepresentation, or deceit, or by making a
23 material misstatement of fact in said application and constitutes
24 cause under Sections 498 and 10177(a) of the Code for suspension
25 or revocation of all licenses and license rights of Respondent
26 under the Real Estate Law.
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