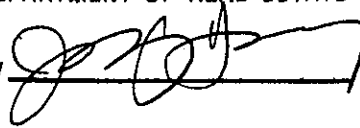


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1 Department of Real Estate  
2 320 W. 4th Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4  
5 Telephone: (213) 576-6982  
6

**FILED**  
MAR 30 2004  
DEPARTMENT OF REAL ESTATE

By 

7 **DEPARTMENT OF REAL ESTATE**  
8 **STATE OF CALIFORNIA**  
9

10 *In the Matter of the Application of*

11 DIKRAN MIKAILIAN,

12  
13  
14 Respondent

) No. H- 30391 LA  
)  
) L-2004010049  
) **STIPULATION AND**  
) **WAIVER**  
)  
)  
)

15 I, DIKRAN MIKAILIAN, respondent herein, do hereby affirm that I have applied to the Department  
16 of Real Estate for a real estate salesperson license and that to the best of my knowledge I have satisfied all  
17 of the statutory requirements for the issuance of the license, including the payment of the fee therefor.

18 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent  
19 filed by the Department of Real Estate on October 16, 2003, in connection with my application for a real  
20 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this  
21 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove  
22 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real  
23 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the  
24 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a  
25 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I  
26 further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate  
27

1 Commissioner has found that I have failed to make such a showing, thereby justifying the denial of the  
2 issuance to me of an unrestricted real estate salesperson license.

3 I hereby admit that the allegations of the Statement of Issues filed against me are true and correct and  
4 requests that the Real Estate Commissioner in his discretion issue a restricted real estate salesperson license  
5 to me under the authority of Section 10156.5 of the Business and Professions Code. I understand that any  
6 such restricted license will be issued subject to and be limited by Section 10153.4 of the Business and  
7 Professions Code.

8 I am aware that by signing this Stipulation and Waiver, I am waiving my right to a hearing and the  
9 opportunity to present evidence at the hearing to establish my rehabilitation in order to obtain an  
10 unrestricted real estate salesperson license if this Stipulation and Waiver is accepted by the Real Estate  
11 Commissioner. However, I am not waiving my right to a hearing and to further proceedings to obtain a  
12 restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

13 I further understand that the following conditions, limitations, and restrictions will attach to a  
14 restricted license issued by the Department of Real Estate pursuant hereto:

- 15 1. The license shall not confer any property right in the privileges to be exercised including the  
16 right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right  
17 to exercise any privileges granted under this restricted license in the event of:
  - 18 a. The conviction of respondent (including a plea of nolo contendere) to a crime which bears a  
19 substantial relationship to respondent's fitness or capacity as a real estate licensee; or
  - 20 b. The receipt of evidence that respondent has violated provisions of the California Real  
21 Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner, or  
22 conditions attaching to this restricted license.
- 23 2. I shall not be eligible to apply for the issuance of an unrestricted real estate license nor the  
24 removal of any of the conditions, limitations or restrictions attaching to the restricted license  
25 until two years have elapsed from the date of issuance of the restricted license to respondent.  
26  
27

- 1        3. With the application for license, or with the application for transfer to a new employing broker, I  
2        shall submit a statement signed by the prospective employing broker on a form approved by the  
3        Department of Real Estate wherein the employing broker shall certify as follows:
- 4        a. That broker has read the Statement of Issues which is the basis for the issuance of the  
5        restricted license; and
- 6        b. That broker will carefully review all transaction documents prepared by the restricted  
7        licensee and otherwise exercise close supervision over the licensee's performance of acts  
8        for which a license is required.
- 9        4. My restricted real estate salesperson license is issued subject to the requirements of Section  
10       10153.4 of the Business and Professions Code, to wit: I am required, within eighteen (18) months  
11       of the issuance of the restricted license, to submit evidence satisfactory to the Commissioner of  
12       successful completion, at an accredited institution, of two of the courses listed in Section  
13       10153.2, other than real estate principles, advanced legal aspects of real estate, advanced real  
14       estate finance, or advanced real estate appraisal. If I fail to timely present to the Department  
15       satisfactory evidence of successful completion of the two required courses, the restricted license  
16       shall be automatically suspended effective eighteen (18) months after the date of its issuance.  
17       Said suspension shall not be lifted unless, prior to the expiration of the restricted license, I have  
18       submitted the required evidence of course completion and the Commissioner has given written  
19       notice to Respondent of the lifting of the suspension.
- 20       5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license  
21       under Section 10153.4, Respondent shall not be entitled to renew the restricted license, and shall  
22       not be entitled to the issuance of another license which is subject to Section 10153.4 until four  
23       years after the date of the issuance of the preceding restricted license.

24       Respondent can signify acceptance and approval of the terms and conditions of this Stipulation and  
25       Waiver by faxing a copy of the signature page, as actually signed by respondent, to the Department at fax  
26       number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending  
27       to the Department a fax copy of his actual signature as it appears on the Stipulation and Waiver, that receipt

1 of the faxed copy by the Department shall be as binding on respondent as if the Department had received  
2 the original signed Stipulation and Waiver.

3 02-28-04

4 Dated



DIKRAN MIKAILIAN, Respondent

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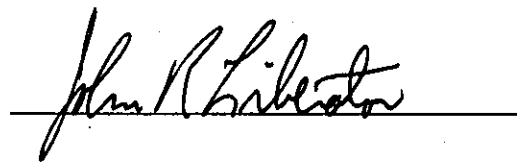
5 I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by  
6 respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and  
7 truthfulness of respondent need not be called and that it will not be inimical to the public interest to issue a  
8 restricted real estate salesperson license to respondent.

9 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to  
10 respondent DIKRAN MIKAILIAN if respondent has otherwise fulfilled all of the statutory requirements for  
11 licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing  
12 Stipulation and Waiver.

13 This Order is effective immediately.

14 IT IS SO ORDERED March 25, 2004.

16 JOHN R. LIBERATOR  
17 Acting Real Estate Commissioner

18 

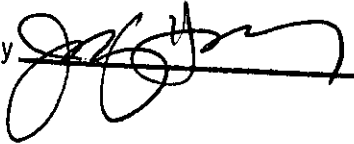


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FILED  
OCT 16 2003  
DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Application of )  
12 DIKRAN MIKAILIAN, ) NO. H-30391 LA  
13 Respondent. ) STATEMENT OF ISSUES  
14

15 The Complainant, Maria Suarez, a Deputy Real Estate  
16 Commissioner of the State of California, for Statement of Issues  
17 against DIKRAN MIKAILIAN (hereinafter "Respondent") is informed  
18 and alleges in her official capacity as follows:

19 I

20 On or about March 13, 2003, Respondent applied to the  
21 Department of Real Estate of the State of California for a real  
22 estate salesperson license with the knowledge and understanding  
23 that any license issued as a result would be subject to the  
24 conditions of Section 10153.4 of the Business and Professions  
25 Code.  
26  
27

1 II

2 On or about August 31, 1992, in the Municipal Court of  
3 Los Angeles Superior Court-Glendale Courthouse Judicial, County  
4 of Los Angeles, State of California, in case number 92M05081,  
5 Respondent was convicted of a violating Section 484(a) of the  
6 Penal Code (Petty Theft), a misdemeanor crime involving moral  
7 turpitude that is substantially related under Section 2910, Title  
8 10, Chapter 6, California Code of Regulations to the  
9 qualifications, functions or duties of a real estate licensee.

10 III

11 The crime for which Respondent was convicted, as  
12 described above, constitutes cause for denial of his application  
13 for a real estate license under Sections 475(a)(2), 480(a)(1)  
14 and 10177(b) of the California Business and Professions Code.  
15

16 PRIOR DENIAL OF APPLICATION

17 On or about March 17, 2003, in Department Case No. H-  
18 29680 LA, Respondent's application for a real estate salesperson  
19 license was denied. Said denial was based on the conviction  
20 described above in Paragraph III and the fact that Respondent  
21 failed to reveal said conviction when applying for licensure.

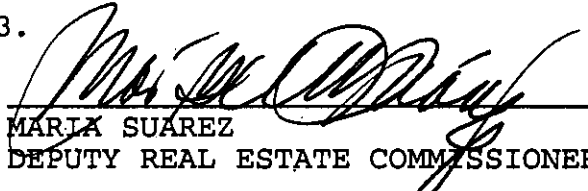
22 The Statement of Issues is brought under the  
23 provisions of Section 10100, Division 4 of the Business and  
24 Professions Code of the State of California and Sections 11500  
25 through 11528 of the Government Code.

26 WHEREFORE, the Complainant prays that the above-  
27 entitled matter be set for hearing and, upon proof of the

1 charges contained herein, that the Commissioner refuse to  
2 authorize the issuance of, and deny the issuance of a real  
3 estate license to Respondent, DIKRAN MIKAILIAN and for such  
4 other and further relief as may be proper in the premises.

5 Dated at Los Angeles, California

6 this 15th day of October, 2003.

7   
8 MARIA SUAREZ  
9 DEPUTY REAL ESTATE COMMISSIONER

10  
11  
12  
13  
14  
15 cc: Dikran Mikailian  
16 Classic Mortgage Exchange Group/Adrineh Minassian  
17 Maria Suarez  
18 SACTO  
19 AE  
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