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FILED
JUN 19 2007

DEPARTMENT OF REAL ESTATE

Handwritten signature: H. H. H. H. H.

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of) NO. H-30424 LA
GUS N. GHUSAYNI,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On April 8, 2004, a Decision was rendered herein, denying Respondent's application for a 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 May 8, 2004. Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

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1 On May 30, 2006, Respondent petitioned for the
2 removal of restrictions attaching to Respondent's real estate
3 broker license.
4

5 I have considered the petition of Respondent and
6 the evidence submitted in support thereof. Respondent has
7 demonstrated to my satisfaction that Respondent meets the
8 requirements of law for the issuance to Respondent of an
9 unrestricted real estate broker license and that it would
10 not be against the public interest to issue said license to
11 Respondent.

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

17 1. Submittal of a completed application and payment
18 of the fee for a real estate broker license.

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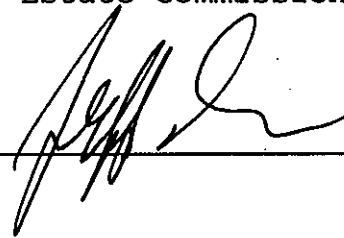
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1
2 2. Submittal of evidence of having since the most
3 recent issuance of an original or renewal real estate license,
4 taken and successfully completed the continuing education
5 requirements of Article 2.5 of Chapter 3 of the Real Estate
6 Law for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

7 This Order shall be effective immediately.

8 Dated: 6-8-07

9 JEFF DAVI
10 Real Estate Commissioner

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23

24 cc: Gus Ghusayni
25 10548 Lurline Avenue
26 Chatsworth, CA 91311
27

Handwritten notes:
Sect 10
Jan 1

Department of Real Estate
320 W. 4th Street, Suite 350
Sacramento, CA 95818-7007

Telephone: (213) 576-6982

FILED
APR 13 2004
DEPARTMENT OF REAL ESTATE

By Laura S. Sloan

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Application of

GUS N. GHUSAYNI,

Respondent

No. H- 30424 LA

L-2003120112

**STIPULATION AND
WAIVER**

It is hereby stipulated by and between GUS N. GHUSAYNI (hereinafter "Respondent") and Respondent's attorney, Richard M. Acuna, and the Complainant, acting by and through Chris Leong, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the Statement of Issues filed on October 30, 2003 in this matter:

Respondent acknowledges that Respondent has received and read the Statement of Issues and the Statement to Respondent filed by the Department of Real Estate in connection with Respondent's application for a real estate broker license. Respondent understands that the Real Estate Commissioner may hold a hearing on this Statement of Issues for the purpose of requiring further proof of Respondent's honesty and truthfulness and to prove other allegations therein, or that he may in his discretion waive the hearing and grant Respondent a restricted real estate broker license based upon this Stipulation and Waiver. Respondent also understands that by filing the Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to Respondent to make a satisfactory showing that Respondent meets all the requirements for issuance of a real estate broker license. Respondent further understands that by

entering into this stipulation and waiver, Respondent will be stipulating that the Real Estate Commissioner has found that Respondent has failed to make such a showing, thereby justifying the denial of the issuance to Respondent of an unrestricted real estate broker license.

Respondent hereby admits that the allegations of the Statement of Issues filed against Respondent are true and correct and requests that the Real Estate Commissioner in his discretion issue a restricted real estate broker license to Respondent under the authority of Section 10156.5 of the Business and Professions Code.

Respondent is aware that by signing this Stipulation and Waiver, Respondent is waiving Respondent's right to a hearing and the opportunity to present evidence at the hearing to establish Respondent's rehabilitation in order to obtain an unrestricted real estate broker license if this Stipulation and Waiver is accepted by the Real Estate Commissioner. However, Respondent is not waiving Respondent's right to a hearing and to further proceedings to obtain a restricted or unrestricted license if this Stipulation and Waiver is not accepted by the Commissioner.

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

1. The license shall not confer any property right in the privileges to be exercised including the right of renewal, and the Real Estate Commissioner may by appropriate order suspend the right to exercise any privileges granted under this restricted license in the event of:
 - a. The conviction of Respondent (including a plea of nolo contendere) to a crime which bears a substantial relationship to Respondent's fitness or capacity as a real estate licensee; or
 - b. The receipt of evidence 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 this restricted license.
2. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the restricted license until two years have elapsed from the date of issuance of the restricted license to Respondent.

8/3/04

Dated

CHRIS LEONG

CHRIS LEONG, Counsel, Department of Real Estate

I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

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

3/2/04

Dated

g/ur

GUS N. GHUSAYNI, Respondent

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

3-2-2004

Dated

Richard M. Acuna

RICHARD M. ACUNA, Attorney for Respondent

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

Therefore, IT IS HEREBY ORDERED that a restricted real estate broker license be issued to Respondent, if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

This Order is effective immediately.

IT IS SO ORDERED

April 8, 2004


JOHN B. LIBERATOR
Acting Real Estate Commissioner

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Hael

FILED
DEC 16 2003

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

* * * *

In the Matter of the Application of) Case No. H-30424 LA
GUS N. GHUSAYNI,) L-2003120112
Respondent(s))

By Laura B. Rivera

NOTICE OF HEARING ON APPLICATION

To the above-named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, California, on **MARCH 8, 2004** at the hour of **11:00 a.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 for his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

Dated: December 16, 2003

DEPARTMENT OF REAL ESTATE

By: CHRIS LEONG
CHRIS LEONG, Counsel

cc: Gus N. Ghusayni
Sacto.
OAH

RE 500 CL:lbo

facto

CHRIS LEONG, SBN 141079
Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6910 (direct)
-or- (213) 576-6982 (office)

FILED
OCT 30 2003
DEPARTMENT OF REAL ESTATE

By *Laura B. Crow*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Application of)	No. H-30424 LA
GUS N. GHUSAYNI,	)
Respondent.	)
	)
	)
	)

STATEMENT OF ISSUES

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Statement of Issues against GUS N. GHUSAYNI, aka Ghusrn Ghusayni aka Ghusayni Gus Najitb, is informed and alleges in her official capacity as follows:

1.

Respondent made application to the Department of Real Estate of the State of California for a real estate broker license on August 31, 2001. On or about August 13, 2002, a Statement of Issues Case No. H-29638 LA, was filed on this application. On or about October 29, 2002, Respondent voluntarily withdrew his application. The Order of Dismissal

1 was signed January 9, 2003. On or about May 12, 2003,
2 Respondent made a second application to the Department of Real
3 Estate of the State of California for a real estate broker
4 license.

5 2.

6 In response to Question 25 of Respondent's, August 31,
7 2001, license application, to wit: "Have you ever been
8 convicted of any violation of law? (You may omit convictions for
9 drunk driving, reckless driving, and minor traffic citations
10 which do not constitute a misdemeanor or felony offense)."
11 Respondent checked the box denoting "No".

12 3.

13 On March 7, 1996, in the Municipal Court for Los
14 Angeles, Van Nuys Judicial District, County of Los Angeles,
15 State of California, Respondent was convicted upon a guilty plea
16 to one count of violating Code Section 602(j) of the California
17 Penal Code (trespassing) a misdemeanor.

18 4.

19 On July 3, 1995, in the Municipal Court for Orange
20 County, Harbor Judicial District, State of California,
21 respondent was convicted upon a guilty plea to one count of
22 violating Code Section 240 of the California Penal Code
23 (assault) a misdemeanor.

24 5.

25 Respondent made a knowingly false statement of fact
26
27

1 required to be revealed in his August 31, 2001, application for
2 licensure, which is cause for denial of respondent's application
3 for a real estate salesperson's license under Code Section
4 480(c).

5 These proceedings are brought under the provisions of
6 Section 10100, Division 4 of the Business and Professions Code
7 of the State of California and Sections 11500 through 11528 of
8 the Government Code of the State of California.

9 WHEREFORE, Complainant prays that the above-entitled
10 matter be set for hearing and, that upon proof of the charges
11 contained herein, that the Commissioner refuse to authorize the
12 issuance of, and deny the issuance of, a real estate salesperson
13 license to respondent GUS N. GHUSAYNI, aka Ghusn Ghusayni aka
14 Ghusayni Gus Najitb, and for such other and further relief as
15 may be proper under other applicable provisions of law.

16 Dated at Los Angeles, California

17 this *28th day of October 2013.*
18

19
20 
21 Deputy Real Estate Commissioner
22
23

24 cc: Gus N. Ghusayni
25 Sacto
26 Maria Suarez
27 CW