ант 2 2 с APR 1 8 2007 DEPARTMENT OF REAL ESTATE BY;

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)

ALI MIRROKIAN,

Sacto.

NO. H-33465 LA

Respondent.

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on March 13, 2007, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds of the conviction of a crime.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's <u>Criteria of Rehabilitation</u> are attached hereto for the information of Respondent.

FINDINGS OF FACT

Τ

On May 8, 2006, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent ALI MIRROKIAN'S ("Respondent") last known mailing address on file with the Department of Real Estate of the State of California ("Department") on November 30, 2006, and by regular mail to Respondent's last known mailing address on file with the Department on January 17, 2007.

II

On March 13, 2007, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

III

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code") as a real estate salesperson. On January 10, 1986, Respondent was issued a real estate salesperson license by the Department. On October 23, 2005, Respondent's license expired without renewal. Respondent has renewal rights pursuant to Code Section 10201. The Department retains jurisdiction pursuant to Code Section 10103.

IV

On or about March 11, 2005, in the Superior Court of California, County of Los Angeles, Respondent ALI MIRROKIAN, was convicted on his plea of nolo contendere to one (1) count of violating Penal Code Section 487 (a) (grand theft of property), a felony.

v

On January 31, 2001, in the Superior Court of California, County of Los Angeles, Respondent was convicted upon a plea of nolo contendere to one (1) count of Penal Code Section 242-243(e)(1) (spousal battery), a misdemeanor.

VI

The evidence established that the crime of which Respondent was convicted, as set forth in Findings IV and V of crimes involving moral turpitude and as such are substantially related to the qualifications, functions or duties of a real estate licensee.

DETERMINATION OF ISSUES

Ι

The facts set forth in Findings IV and V establish cause for disciplinary action against Respondent pursuant to Business and Professions Code Sections 490 and 10177(b).

ΙI

The standard of proof applied was clear and convincing to a reasonable certainty.

ORDER

The license and license rights of ALI MIRROKIAN under the provisions of Part 1 of Division 4 of the Business and Professions Code are revoked.

		This	Decision	shall	become	effective	at	12	o'clock
noon	on	May 7	, 2007	· •					

DATED:

3/20/07

JEFF DAVI Real Estate *Q*ommissioner

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1	Department of Real Estate 320 West Fourth, Street, Suite 350 MAR 1 3 2007
2	Los Angeles, CA 90013 DEPARTMENT OF REAL ESTATE
3	(213) 576-6982
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• 7	
8	BEFORE THE DEPARTMENT OF REAL ESTATE
· 9	STATE OF CALIFORNIA
	* * * *
11	In the Matter of the Accusation of) NO. H-33465 LA
12) ALI MIRROKIAN,) DEFAULT ORDER
13')
14	
15	Respondent.)
16	//
17	Respondent ALI MIRROKIAN, having failed to file a
18	Notice of Defense within the time required by Section 11506
19	of the Government Code, is now in default. It is, therefore,
20	ordered that a default be entered on the record in this
21	matter.
22	IT IS SO ORDERED March 13, 2007.
. 23	JEFF DAVI
24	Real Estate Commissioner
25	$M \sim 1.1$
. 26	By: Decates Weeks
27	DOLORES WEEKS Regional Manager

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2 3	ELLIOTT MAC LENNAN, SBN 66674 Department of Real Estate 320 West 4th Street, Ste. 350 Los Angeles, California 90013-1105 NOV 30 2006							
4	Telephone: (213) 576-6911 (direct) -or- (213) 576-6982 (office) DEPARTMENT OF REAL ESTATE							
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8	BEFORE THE DEPARTMENT OF REAL ESTATE							
9 10	STATE OF CALIFORNIA							
10) In the Matter of the Accusation of) No. H-33465LA							
12	ALI MIRROKIAN, ACCUSATION							
13	Respondent.							
14)							
15	The Complainant, Maria Suarez, a Deputy Real Estate							
16	Commissioner of the State of California, for cause of accusation							
17	against ALI MIRROKIAN, is informed and alleges in her official							
18	capacity as follows:							
19	1.							
20	Respondent is presently licensed and/or has license							
21	rights as a real estate salesperson under the Real Estate Law							
22	(Part 1 of Division 4 of the California Business and Professions							
. 23	Code) (Code).							
24	111							
25	111							
26	111							
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Respondent was originally licensed by the Department of Real Estate of the State California as a real estate salesperson on January 10, 1986. On October 23, 2005, respondent's license expired without renewal. Respondent has renewal rights pursuant to Code Section 10201. The Department retains jurisciction pursuant to Code Section 10103.

3.

9 On March 11, 2005, in the Superior Court of California, 10 County of Los Angeles, respondent was convicted in Case Number 11 LA046550, upon a plea of nolo contendere to one count of Penal 12 Code Section 487(a) (grand theft of property), a felony involving 13 moral turpitude and substantially related under Section 14 2910(a)(1) and (a)(8), Chapter 6, Title 10 of the California Code 15 of Regulations "Regulations"), to the qualifications, functions 16 or duties of a real estate licensee. 17

4.

On January 31, 2001, in the Superior Court of 19 California, County of Los Angeles, respondent was convicted in 20 Case Number OPN05829, upon a plea of nolo contendere to one count 21 22 of Penal Code Section 242-243(e)(1) (spousal battery), a 23 misdemeanor involving moral turpitude and substantially related 24 under Section 2910(a)(8), Chapter 6, Title 10 of the California 25 Code of Regulations "Regulations"), to the qualifications, 26 functions or duties of a real estate licensee. 27

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1 The facts as alleged in above, constitute cause for the 2 suspension or revocation of the license and license rights of 3 respondent under Code Sections 490 and/or 10177(b). 4 WHEREFORE, Complainant prays that a hearing be 5 conducted on the allegations of this Accusation and that upon 6 proof thereof, a decision be rendered imposing disciplinary 7 8 action against the license and license rights of respondent ALI 9 MIRROKIAN under the Real Estate Law (Part 1 of Division 4 of the 10 Business and Professions Code) and for such other and further 11 relief as may be proper under other applicable provision of law. 12 Dated at Los Angeles, California 13 1 ay 2006. 1 they of This 14 15 16 Real Cómmissioner Estate Debuty 17 18 19 20 21 22 23 24 25 Ali Mirrokian cc: 26 Maria Suarez Sacto 27 3

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