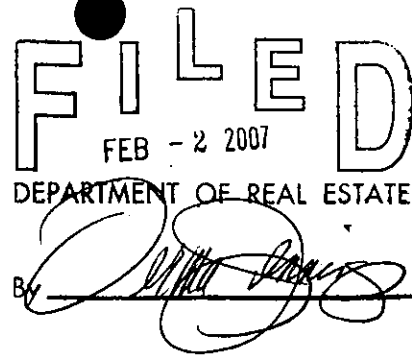


1 Department of Real Estate
2 320 W. 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone: (213) 576-6982
5
6



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

10 *In the Matter of the Application of*

11
12 **LOBAT KOHAN GHODOUSHIM,**

13
14 Respondent

) No. H- 33524 LA
)
)
)
) **STIPULATION AND**
) **WAIVER**
)
)
)

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

19 I acknowledge that I have received and read the Statement of Issues and the Statement to Respondent
20 filed by the Department of Real Estate on December 11, 2006, in connection with my application for a real
21 estate salesperson license. I understand that the Real Estate Commissioner may hold a hearing on this
22 Statement of Issues for the purpose of requiring further proof of my honesty and truthfulness and to prove
23 other allegations therein, or that he may in his discretion waive the hearing and grant me a restricted real
24 estate salesperson license based upon this Stipulation and Waiver. I also understand that by filing the
25 Statement of Issues in this matter the Real Estate Commissioner is shifting the burden to me to make a
26 satisfactory showing that I meet all the requirements for issuance of a real estate salesperson license. I
27 further understand that by entering into this stipulation and waiver I will be stipulating that the Real Estate

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 request 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)
11 months of the issuance of the restricted license, to submit evidence satisfactory to the
12 Commissioner of successful completion, at an accredited institution, of
13 a course in real estate practices and one of the courses listed in Section 10153.2, other than real
14 estate principles, advanced legal aspects of real estate, advanced real estate finance, or advanced
15 real estate appraisal. If I fail to timely present to the Department satisfactory evidence of
16 successful completion of the two required courses, the restricted license shall be automatically
17 suspended effective eighteen (18) months after the date of its issuance. Said suspension shall not
18 be lifted unless, prior to the expiration of the restricted license, I have submitted the required
19 evidence of course completion and the Commissioner has given written notice to Respondent of
20 the lifting of the suspension.

21 5. Pursuant to Section 10154, if I have not satisfied the requirements for an unqualified license
22 under Section 10153.4, Respondent shall not be entitled to renew the restricted license, and shall
23 not be entitled to the issuance of another license which is subject to Section 10153.4 until four
24 years after the date of the issuance of the preceding restricted license.

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

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 * January 3, 2007

4 Dated

5 I join the Stipulation and Waiver ***

LOBAT KOHAN GHODOUSHIM, Respondent

BRADLEY COLE SHERRIN
ATTORNEY FOR RESPONDENT

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

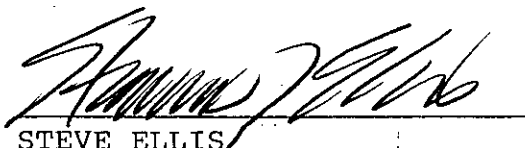
10 Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to
11 respondent LOBAT KOHAN GHODOUSHIM, if respondent has otherwise fulfilled all of the statutory
12 requirements for licensure. The restricted license shall be limited, conditioned, and restricted as specified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

14 This Order is effective immediately.

15 IT IS SO ORDERED

January 16, 2007

16 Jeff Davi
17 Real Estate Commissioner

18 
19 STEVE ELLIS
20 Regional Manager

1 JAMES R. PEEL, Counsel (SBN 47055)
2 Department of Real Estate
3 320 West Fourth Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 -or- (213) 576-6913 (Direct)

FILED

DEC 11 2006

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of) No.H-33524 LA
12 LOBAT KOHAN GHODOUSHIM,)
13 Respondent.)
14)

STATEMENT OF ISSUES

15
16 The Complainant, Janice A. Waddell, a Deputy Real
17 Estate Commissioner of the State of California, for Statement of
18 Issues against LOBAT KOHAN GHODOUSHIM (Respondent) is informed
19 and alleges in her official capacity as follows:

20 I

21 On or about November 21, 2005, Respondent applied to
22 the Department of Real Estate of the State of California for a
23 real estate salesperson license with the knowledge and
24 understanding that any license issued as a result of that
25 application would be subject to the conditions of Section 10153.4
26 of the Business and Professions Code (hereinafter Code).
27

1 II

2 In response to Question 25 of said application, to wit,
3 "Have you ever been convicted of any violation of law?",
4 Respondent answered "No".

5 III

6 On or about April 12, 1994, in the Municipal Court of
7 California for the County of Los Angeles, Respondent was
8 convicted of violating Penal Code Section 484(a) (petty theft), a
9 crime involving moral turpitude.

10 IV

11 The matter alleged in Paragraph III is substantially
12 related to the duties, functions and qualifications of a real
13 estate licensee.

14 V

15 The matter alleged in Paragraph III is grounds to deny
16 Respondent's application under Sections 480(a)(1) and 10177(b) of
17 the California Business and Professions Code.

18 VI

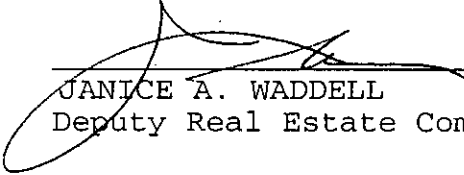
19 Respondent's failure to reveal the matter set forth in
20 Paragraph III in said application constitutes the attempt to
21 procure a real estate license by fraud, misrepresentation or
22 deceit, or by making a material misstatement of fact or knowingly
23 making a false statement of fact required to be revealed in said
24 application, which failure is cause for denying Respondent's
25 application for a real estate license under Sections 480(c) and
26 10177(a) of the Code.
27

1 The Statement of Issues is brought under the provisions
2 of Section 10100, Division 4 of the Business and Professions Code
3 of the State of California and Sections 11500 through 11528 of
4 the Government Code.

5 WHEREFORE, the Complainant prays that the above-
6 entitled matter be set for hearing and, upon proof of the charges
7 contained herein, that the Commissioner refuse to authorize the
8 issuance of, and deny the issuance of, a real estate salesperson
9 license to Respondent, LOBAT KOHAN GHODOUSHIM, and for such other
10 and further relief as may be proper in the premises.

11 Dated at Los Angeles, California,

12 this 21 day of November, 2006.

13
14
15 
16 JANICE A. WADDELL
17 Deputy Real Estate Commissioner
18
19
20
21
22

23 cc: Lobat Kohan Ghodoushim
24 Nourmand & Associates
25 Janice A. Waddell
26 Sacto.
27