

FILED
JAN. 7, 2009
DEPARTMENT OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-34927 LA
)	
ALLAN BERLIN STEWARD,)	
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On May 9, 2008, an Accusation was filed in this matter against Respondent ALLAN BERLIN STEWARD.

On December 8, 2008, Respondent petitioned the Commissioner to voluntarily surrender his real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent ALLAN BERLIN STEWARD's petition for voluntary surrender of his real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated December 8, 2008 (attached as Exhibit "A" hereto). Respondent's license

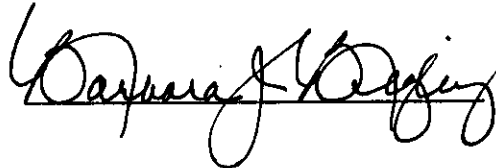
1 certificate(s), pocket card(s) and any branch office license
2 certificate(s) shall be sent to the below listed address so that
3 they reach the Department on or before the effective date of this
4 Order:

5 Department of Real Estate
6 Atten: Licensing Flag Section
7 P.O. Box 187000
8 Sacramento, CA 95818-7000

9 This Order shall become effective at 12 o'clock noon
10 on January 27, 2009.

11 DATED: 12.30.08

12 JEFF DAVI
13 Real Estate Commissioner

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16 BY: Barbara J. Bigby
17 Chief Deputy Commissioner
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Exhibit "A"

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	DRE No. H-34927 LA
ALLAN BERLIN STEWARD,)	OAH No. L-2008050839
Respondent.)	

DECLARATION

My name is ALLAN BERLIN STEWARD, and I am currently licensed as a real estate broker and/or have license rights with respect to said license. I am represented by Steven L. Simas, Attorney at Law.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department") pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, I may be relicensed as a broker or as a salesperson only
3 by petitioning for reinstatement pursuant to Section 11522 of the
4 Government Code. I also understand that by so voluntarily
5 surrendering my license, I agree to the following:

6 1. The filing of this Declaration shall be deemed as
7 my petition for voluntary surrender.

8 2. It shall also be deemed to be an understanding and
9 agreement by me that I waive all rights I have to require the
10 Commissioner to prove the allegations contained in the Accusation
11 filed in this matter at a hearing held in accordance with the
12 provisions of the Administrative Procedure Act (Government Code
13 Sections 11400 et seq.), and that I also waive other rights
14 afforded to me in connection with the hearing such as the right
15 to discovery, the right to present evidence in defense of the
16 allegations in the Accusation and the right to cross-examine
17 witnesses.

18 3. I further agree that upon acceptance by the
19 Commissioner, as evidenced by an appropriate order, all
20 affidavits and all relevant evidence obtained by the Department
21 in this matter prior to the Commissioner's acceptance, and all
22 allegations contained in the Accusation filed in the Department
23 Case No. H-34927 LA, may be considered by the Department to be
24 true and correct for the purpose of deciding whether to grant
25 relicensure or reinstatement pursuant to Government Code
26 Section 11522.

27

1 4. I freely and voluntarily surrender all my licenses
2 and license rights under the Real Estate Law.

3 I declare under penalty of perjury under the laws of
4 the State of California that the above is true and correct and
5 that this declaration was executed on Dec 8, 2008,
6 at Redwood, California.

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ALLAN BERLIN STEWARD

620
LISSETE GARCIA, Counsel (SBN 211552)
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982
(Direct) (213) 576-6914

FILED
MAY 9, 2008
DEPARTMENT OF REAL ESTATE

By C. Bayne

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-34927 LA
ALLAN BERLIN STEWARD,) A C C U S A T I O N
Respondent.)

The Complainant, Maria Suarez, a Deputy Real Estate
Commissioner of the State of California, for cause of Accusation
against ALLAN BERLIN STEWARD, aka Allan Steward ("Respondent"),
is informed and alleges in her official capacity as follows:

I

At all times herein mentioned, Respondent was and is
presently licensed by the Department of Real Estate of the State
of California ("Department") as a real estate broker under the
Real Estate Law, Part 1 of Division 4 of the California Business
and Professions Code ("Code").

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II

Pursuant to the provisions of Code Section 10153.3, Respondent was originally licensed as a broker with the Department on or about May 11, 1994.

III

On or about June 27, 2005, in the United States District Court, Central District of California, in Case No. CR 03-00804-RMT, as part of a plea agreement, Respondent pled guilty to and was convicted of violating 18 U.S.C. 666 (bribery concerning government receiving federal funds), a felony. Said crime involves moral turpitude and bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

IV

The crime of which Respondent was convicted, as alleged in Paragraph III above, constitutes cause under Code Sections 490 and 10177(b) for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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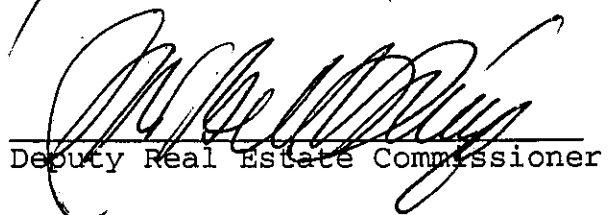
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and, that upon proof thereof, a decision be rendered imposing disciplinary ALLAN BERLIN STEWARD, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 8th day of May, 2008.


Deputy Real Estate Commissioner

cc: Allan Berlin Steward
Maria Suarez
Sacto.