

1 Department of Real Estate  
2 320 West 4<sup>th</sup> Street, Suite 350  
3 Los Angeles, California 90013  
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**FILED**  
AUG 27 2009  
DEPARTMENT OF REAL ESTATE  
*[Signature]*

DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) No. H-35219 LA  
) L-2008 110 076  
COMFORT SALES & SERVICES, INC., )  
and AFAQ AHMED, individually ) STIPULATION AND AGREEMENT  
and as designated officer of )  
the corporation, and AZHER MALIK, )  
)  
Respondents. )

It is hereby stipulated by and between AFAQ AHMED (sometimes referred to as Respondent), and the Complainant, acting by and through James R. Peel, Counsel for the Department of Real Estate, as follows for the purpose of settling and disposing of the First Amended Accusation filed on January 30, 2009, in this matter.

1. All issues which were to be contested and all evidence which was to be presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing was to be held in accordance with the provisions of the Administrative Procedure Act (APA), shall instead and in place thereof be

1 submitted solely on the basis of the provisions of this  
2 Stipulation and Agreement.

3 2. Respondent has received, read and understands the  
4 Statement to Respondent, the Discovery Provisions of the APA and  
5 the Accusation filed by the Department of Real Estate in this  
6 proceeding.

7 3. On September 9, 2009, Respondent filed a Notice of  
8 Defense pursuant to Section 11506 of the Government Code for the  
9 purpose of requesting a hearing on the allegations in the  
10 Accusation. Respondent hereby freely and voluntarily withdraws  
11 said Notice of Defense. Respondent acknowledges that he  
12 understands that by withdrawing said Notice of Defense he will  
13 thereby waive his right to require the Commissioner to prove the  
14 allegations in the Accusation at a contested hearing held in  
15 accordance with the provisions of the APA and that he will waive  
16 other rights afforded to him in connection with the hearing such  
17 as the right to present evidence in defense of the allegations  
18 in the Accusation and the right to cross-examine witnesses.

19 4. This Stipulation is based on the factual  
20 allegations contained in the Accusation filed in this  
21 proceeding. In the interest of expedience and economy,  
22 Respondent chooses not to contest these factual allegations, but  
23 to remain silent and understands that, as a result thereof,  
24 these factual statements, will serve as a prima facie basis for  
25 the disciplinary action stipulated to herein. The Real Estate  
26 Commissioner shall not be required to provide further evidence  
27 to prove such allegations.

1           5. The Stipulation herein and Respondent's decision  
2 not to contest the Accusation, are made solely for the purpose  
3 of reaching an agreed disposition of this proceeding and are  
4 expressly limited to this proceeding and any other proceeding or  
5 case in which the Department of Real Estate ("Department") or  
6 another licensing agency of this state, another state or if the  
7 federal government is involved, and otherwise shall not be  
8 admissible in any other criminal or civil proceedings.

9           6. It is understood by the parties that the Real  
10 Estate Commissioner may adopt the Stipulation and Agreement as  
11 his Decision in this matter, thereby imposing the penalty and  
12 sanctions on Respondent's real estate license and license rights  
13 as set forth in the below "Order". In the event that the  
14 Commissioner in his discretion does not adopt the Stipulation  
15 and Agreement, it shall be void and of no effect, and Respondent  
16 shall retain the right to a hearing and proceeding on the  
17 Accusation under all the provisions of the APA and shall not be  
18 bound by any stipulation or waiver made herein.

19           7. The Order or any subsequent Order of the Real  
20 Estate Commissioner made pursuant to this Stipulation and  
21 Agreement shall not constitute an estoppel, merger or bar to any  
22 further administrative or civil proceedings by the Department of  
23 Real Estate with respect to any matters which were not  
24 specifically alleged to be causes for accusation in this  
25 proceeding.  
26  
27

DETERMINATION OF ISSUES

1           By reason of the foregoing stipulations and waivers  
2 and solely for the purpose of settlement of the pending  
3 Accusation without a hearing, it is stipulated and agreed that  
4 the following determination of issues shall be made:

5           The conduct of Respondent, AFAQ AHMED as described in  
6 Paragraph 4, above, is grounds for the suspension or revocation  
7 of all of the real estate licenses and license rights of  
8 Respondent under the provisions of Business and Professions Code  
9 Section 10177(g).

ORDER

12           All real estate broker licenses and licensing rights  
13 of Respondent AFAQ AHMED under the Real Estate Law are revoked,  
14 provided, however, a restricted real estate broker license shall  
15 be issued to Respondent pursuant to Section 10156.5 of the  
16 Business and Professions Code if Respondent makes application  
17 therefor and pays to the Department of Real Estate the  
18 appropriate fee for the restricted license within 90 days from  
19 the effective date of this Decision. The restricted license  
20 issued to Respondent shall be subject to all of the provisions  
21 of Section 10156.7 of the Business and Professions Code and to  
22 the following limitations, conditions, and restrictions imposed  
23 under authority of Section 10156.6 of that Code:

24           1. The restricted license issued to Respondent may be  
25 suspended prior to hearing by Order of the Real Estate  
26 Commissioner in the event of Respondent's conviction or plea of  
27 nolo contendere to a crime which is substantially related to

Respondent's fitness or capacity as a real estate licensee.

1  
2           2. The restricted license issued to Respondent may be  
3 suspended prior to hearing by Order of the Real Estate  
4 Commissioner on evidence satisfactory to the Commissioner that  
5 Respondent has violated provisions of the California Real Estate  
6 Law, the Subdivided Lands Law, Regulations of the Real Estate  
7 Commissioner or conditions attaching to the restricted license.

8           3. Respondent shall not be eligible to apply for the  
9 issuance of an unrestricted real estate license nor for the  
10 removal of any of the conditions, limitations or restrictions of  
11 a restricted license until two years have elapsed from the  
12 effective date of this Decision.

13           4. Respondent shall, within nine months from the  
14 effective date of this Decision, present evidence satisfactory  
15 to the Real Estate Commissioner that Respondent has, since the  
16 most recent issuance of an original or renewal real estate  
17 license, taken and successfully completed the continuing  
18 education requirements of Article 2.5 of Chapter 3 of the Real  
19 Estate Law for renewal of a real estate license. If Respondent  
20 fails to satisfy this condition, the Commissioner may order the  
21 suspension of the restricted license until the Respondent  
22 presents such evidence. The Commissioner shall afford  
23 Respondent the opportunity for a hearing pursuant to the  
24 Administrative Procedure Act to present such evidence.

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DATED: July 28, 2009

James R. Peel  
JAMES R. PEEL  
Counsel for Complainant  
\* \* \*

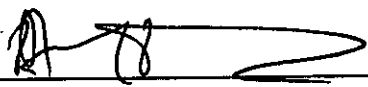
I have read the Stipulation and Agreement and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing 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 Agreement by faxing a copy of the signature page, as actually signed by Respondent, to the Department at the following telephone/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 Agreement that receipt of the faxed copy by the Department shall be as

1 binding on Respondent as if the Department had received the  
2 original signed Stipulation and Agreement.

3 Further, if the Respondent is represented in these  
4 proceedings, the Respondent's attorney can signify her agreement  
5 to the terms and conditions of the Stipulation and Agreement by  
6 submitting that signature via fax.

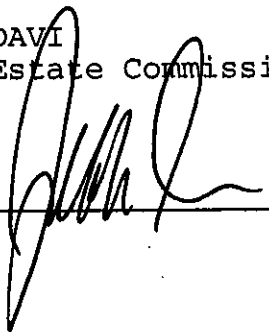
7  
8 DATED: 7-14-08

  
9 AFAQ AHMED  
10 Respondent

11  
12  
13 \* \* \*

14 The foregoing Stipulation and Agreement is hereby  
15 adopted as my Decision in this matter and shall become effective  
16 at 12 o'clock noon on September 16, 2009.

17  
18 IT IS SO ORDERED 8-6-09, 2009..

19 JEFF DAVI  
20 Real Estate Commissioner  
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FILED  
AUG 27 2009

DEPARTMENT OF REAL ESTATE

By *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-35219 LA
COMFORT SALES & SERVICES, INC.,	)	
	)	
	)	
Respondent.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 30, 2009, the First Amended Accusation was filed in this matter against Respondent COMFORT SALES & SERVICES, INC.

On July 13, 2009, Respondent petitioned the Commissioner to voluntarily surrender its real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent COMFORT SALES & SERVICES, INC.'s petition for voluntary surrender of its real estate broker license is accepted as of the effective date of this Order as set forth below, based upon the understanding and



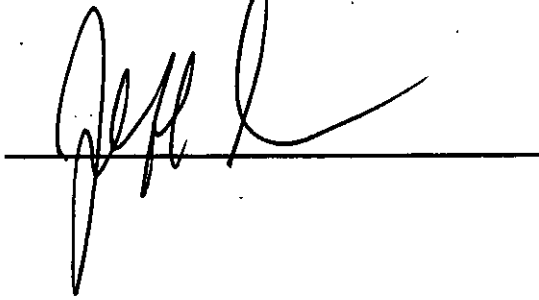
1 agreement expressed in Respondent's Declaration dated July 13,  
2 2009 (attached as Exhibit "A" hereto). Respondent's license  
3 certificates, pocket cards and any branch office license  
4 certificate shall be sent to the below listed address so that  
5 they reach the Department on or before the effective date of this  
6 Order:

7  
8 DEPARTMENT OF REAL ESTATE  
9 Attn: Licensing Flag Section  
10 P. O. Box 187000  
11 Sacramento, CA 95818-7000

12 This Order shall become effective at 12 o'clock noon  
13 on September 16, 2009.

14 DATED: 8-6, 2009

15 JEFF DAVI  
16 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
COMFORT SALES & SERVICES, INC., )  
Respondent. )  
No. H-35219 LA

DECLARATION

My name is Azher Malik and I am currently an officer of COMFORT SALES & SERVICES, INC. which is licensed as a real estate broker and/or has license rights with respect to said license. I am authorized and empowered to sign this declaration on behalf of COMFORT SALES & SERVICES, INC. I am acting on behalf of COMFORT SALES & SERVICES, INC. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Business and Professions Code) COMFORT SALES & SERVICES, INC. wishes to voluntarily surrender its real estate license issued by the Department of Real Estate

1 ("Department") pursuant to Business and Professions Code Section  
2 10100.2.

3 I understand that by so voluntarily surrendering its  
4 license, COMFORT SALES & SERVICES, INC. can only have it  
5 reinstated in accordance with the provisions of Section 11522 of  
6 the Government Code. I also understand that by so voluntarily  
7 surrendering its license, COMFORT SALES & SERVICES, INC. agrees  
8 to the following:

9 (1) The filing of this Declaration shall be deemed as its  
10 petition for voluntary surrender.

11 (2) It shall also be deemed to be an understanding and  
12 agreement by COMFORT SALES & SERVICES, INC. that it waives all  
13 rights it has to require the Commissioner to prove the  
14 allegations contained in the Accusation filed in this matter at a  
15 hearing held in accordance with the provisions of the  
16 Administrative Procedure Act (Government Code Sections 11400 et  
17 seq.), and that it also waives other rights afforded to it in  
18 connection with the hearing such as the right to discovery, the  
19 right to present evidence in defense of the allegations in the  
20 Accusation and the right to cross-examine witnesses.

21 (3) I further agree on behalf of COMFORT SALES & SERVICES,  
22 INC. that upon acceptance by the Commissioner, as evidenced by an  
23 appropriate order, all affidavits and all relevant evidence  
24 obtained by the Department in this matter prior to the  
25 Commissioner's acceptance, and all allegations contained in the  
26 Accusation filed in the Department Case No. H-35219 LA may be  
27 considered by the Department to be true and correct for the

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FAX NO.

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1 purpose of deciding whether to grant relicensure of COMFORT SALES  
2 & SERVICES's license pursuant to Government Code Section 11522.

3 (4) COMFORT SALES & SERVICES, INC. freely and voluntarily  
4 surrenders all of its licenses and license rights under the Real  
5 Estate Law.

6 I declare under penalty of perjury under the laws of  
7 the State of California that the above is true and correct and  
8 that I am acting freely and voluntarily on behalf of COMFORT  
9 SALES & SERVICES, INC. to surrender its license and all license  
10 rights attached thereto.

11 This Declaration is executed on July, 2009, at  
12 Riverside, California.

13   
14 COMFORT SALES & SERVICES, INC.  
15 By: Azhar Malik

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1 purpose of deciding whether to grant relicensure of COMFORT SALES  
2 & SERVICES's license pursuant to Government Code Section 11522.

3 (4) COMFORT SALES & SERVICES, INC. freely and voluntarily  
4 surrenders all of its licenses and license rights under the Real  
5 Estate Law.

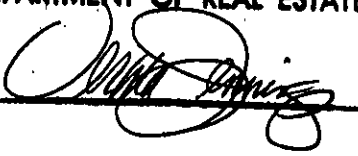
6 I declare under penalty of perjury under the laws of  
7 the State of California that the above is true and correct and  
8 that I am acting freely and voluntarily on behalf of COMFORT  
9 SALES & SERVICES, INC. to surrender its license and all license  
10 rights attached thereto.

11 This Declaration is executed on \_\_\_\_\_, 2009, at  
12 \_\_\_\_\_, California.

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14 COMFORT SALES & SERVICES, INC.  
15 By: Azher Malik  
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**FILED**  
AUG 27 2009  
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
AZHER MALIK, )  
Respondent. )  
No. H-35219 LA

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On January 30, 2009, the First Amended Accusation was filed in this matter against Respondent AZHER MALIK.

On July 13, 2009, Respondent petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent AZHER MALIK's petition for voluntary surrender of his real estate salesperson 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 July 13, 2009 (attached as

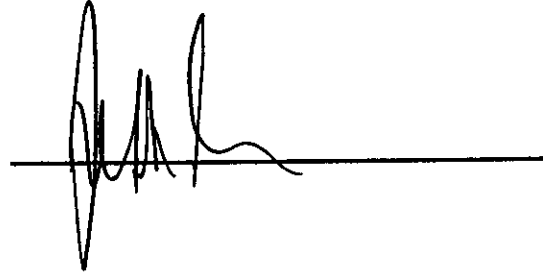
1 Exhibit "A" hereto). Respondent's license certificates, pocket  
2 cards and any branch office license certificate shall be sent to  
3 the below listed address so that they reach the Department on or  
4 before the effective date of this Order:

5 DEPARTMENT OF REAL ESTATE  
6 Attn: Licensing Flag Section  
7 P. O. Box 187000  
8 Sacramento, CA 95818-7000

8 This Order shall become effective at 12 o'clock noon  
9 on September 16, 2009.

10 DATED: 8-6, 2009

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12 JEFF DAVI  
13 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
AZHER MALIK, )  
Respondent. )  
No. H-35219 LA

DECLARATION

My name is Azher Malik and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license.

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

I understand that by so voluntarily surrendering the license, AZHER MALIK can only have it reinstated in accordance



1 with the provisions of Section 11522 of the Government Code. I  
2 also understand that by so voluntarily surrendering the license,  
3 AZHER MALIK agrees to the following:

4 (1) The filing of this Declaration shall be deemed as his  
5 petition for voluntary surrender.

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

16 (3) I further agree that upon acceptance by the  
17 Commissioner, as evidenced by an appropriate order, all  
18 affidavits and all relevant evidence obtained by the Department  
19 in this matter prior to the Commissioner's acceptance, and all  
20 allegations contained in the Accusation filed in the Department  
21 Case No. H-35219 LA may be considered by the Department to be  
22 true and correct for the purpose of deciding whether to grant  
23 relicensure of AZHER MALIK's license pursuant to Government Code  
24 Section 11522.

25 (4) AZHER MALIK freely and voluntarily surrenders all of  
26 his licenses and license rights under the Real Estate Law.

27

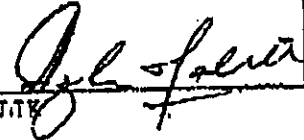
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P. 08/08

1 I declare under penalty of perjury under the laws of  
 2 the State of California that the above is true and correct and  
 3 that I am acting freely and voluntarily to surrender my license  
 4 and all license rights attached thereto.

5 This Declaration is executed on July, 2009, at  
 6 Riverside, California.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am acting freely and voluntarily to surrender my license and all license rights attached thereto.

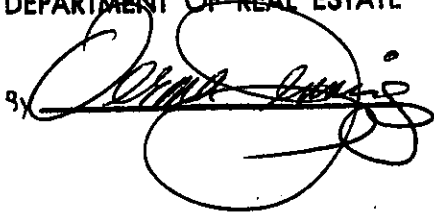
This Declaration is executed on \_\_\_\_\_, 2009, at \_\_\_\_\_, California.

\_\_\_\_\_  
AZHER MALIK

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Flay

1 JAMES R. PEEL, Counsel (SBN 47055)  
2 Department of Real Estate  
3 320 West Fourth Street, Suite 350  
4 Los Angeles, CA 90013-1105  
5 Telephone: (213) 576-6982  
6 -or- (213) 576-6913 (Direct)

FILED  
JAN 3 0 2009  
DEPARTMENT OF REAL ESTATE



8 DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )	No. H-35219 LA
12 COMFORT SALES & SERVICES, INC., )	L-2008110076
13 and AFAQ AHMED, individually )	<u>FIRST AMENDED</u>
14 and as designated officer of )	<u>ACCUSATION</u>
15 the corporation, and AZHER MALIK, )	
16 Respondents. )	

16 This First Amended Accusation amends the Accusation  
17 filed on August 15, 2008, allegations including Respondent AZHER  
18 MALIK are added.

19 The Complainant, Maria Suarez, a Deputy Real Estate  
20 Commissioner of the State of California, for cause of First  
21 Amended Accusation against COMFORT SALES & SERVICES, INC.  
22 ("CSSI"), AFAQ AHMED, individually, and as designated officer of  
23 the corporation, and AZHER MALIK, alleges as follows:

24 I

25 The Complainant, Maria Suarez, acting in her official  
26 capacity as a Deputy Real Estate Commissioner of the State of  
27 California, makes this Accusation against COMFORT SALES

1 & SERVICES, INC., dba Affordable Properties, AFAQ AHMED and AZHER  
2 MALIK.

3 II

4 COMFORT SALES & SERVICES, INC., AFAQ AHMED,  
5 individually, and as designated officer of said corporation, and  
6 AZHER MALIK (hereinafter referred to as "Respondents") are  
7 presently licensed and/or have license rights under the Real  
8 Estate Law (Part 1 of Division 4 of the Business and Professions  
9 Code, hereinafter Code).

10 III

11 Respondent CSSI was originally licensed as a real  
12 estate broker on January 8, 2007. The corporate license will  
13 expire on January 7, 2011. Pursuant to Code Section 10159.2,  
14 Respondent AFAQ AHMED is responsible for the supervision and  
15 control of the activities conducted on behalf of the corporation  
16 by its officers and employees as necessary to secure full  
17 compliance with the provisions of the Real Estate Law, including  
18 the supervision of salespersons licensed to the corporation in  
19 the performance of acts for which a real estate license is  
20 required.

21 IV

22 At all times herein mentioned, Respondent AZHER MALIK  
23 was licensed as a real estate salesperson employed by Respondent  
24 CSSI.

25 ///

26 ///

27 ///

1 V

2 At all times material herein, Respondents engaged in  
3 the business of, acted in the capacity of, advertised or assumed  
4 to act as a real estate broker in the State of California, within  
5 the meaning of Section 10131(a) of the Code, including soliciting  
6 buyers and sellers and negotiating the sale of real property.

7 VI

8 In connection with Respondents' activities as a real  
9 estate broker, as described above, Respondents CSSI and AFAQ  
10 AHMED violated Section 10137 of the Code in that in or about  
11 March, 2008, Respondents employed Consuelo Saavedra, who was not  
12 licensed to Respondent CSSI as a real estate salesperson, to  
13 solicit and negotiate the sale of real property located at  
14 2564 Pleasant Colony Street, Perris, California, from Joey King  
15 to Luz M. Ortega.

16 VII

17 During the course of the transaction, Consuelo Saavedra  
18 intended to defraud the lender of \$50,000 by inflating the sale  
19 price and diverting money obtained from false repair bills back  
20 to her office.

21 VIII

22 Respondent AZHER MALIK, while acting as  
23 officer-manager, was at all times aware of Consuelo Saavedra's  
24 plan to defraud the lender and failed to present these illegal  
25 activities and notify the appropriate parties including the  
26 broker and lender about the illegal plan.

27 /// .

IX

Respondent AFAQ AHMED failed to properly supervise the activities of his employees which would have prevented the loan fraud scheme and unlicensed activities from occurring.

X

The conduct, acts and/or omissions of Respondents CSSI and AFAQ AHMED, as alleged above, subject their real estate licenses and license rights to suspension or revocation pursuant to Sections 10137, 10177(d) and/or 10177(g) of the Code.

XI

The conduct, acts and/or omissions of Respondent AFAQ AHMED in failing to ensure full compliance with the Real Estate Law is in violation of Section 10159.2 of the Code and subject his real estate licenses and license rights to suspension or revocation pursuant to Sections 10177(d), 10177(g) and/or 10177(h) of the Code.

XII

The conduct, acts and/or omissions of Respondent AZHER MALIK are in violation of Sections 10176(a), 10176(i), 10177(f) and/or 10177(g) of the Code.

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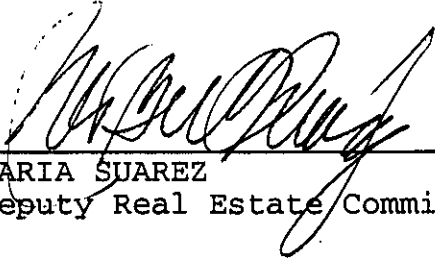
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1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and license rights of Respondents  
5 COMFORT SALES & SERVICES, INC., AFAQ AHMED, individually and as  
6 designated officer of the corporation, and AZHER MALIK under the  
7 Real Estate Law (Part 1 of Division 4 of the Business and  
8 Professions Code) and for such other and further relief as may be  
9 proper under other applicable provisions of law.

10 Dated at Los Angeles, California,  
11 this 30th day of January, 2009.

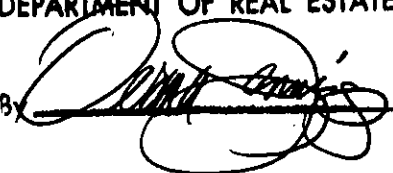
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17                   MARIA SUAREZ  
18                   Deputy Real Estate Commissioner  
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24 cc: Comfort Sales & Services Inc.  
25       Afaq Ahmed  
26       Azher Malik  
27       Phillip Ihde  
      Robin L. Trujillo  
      Sacto.  
      OAH



Handwritten initials: "SBN 47055" and "Play" with a checkmark.

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**  
AUG 15 2008  
DEPARTMENT OF REAL ESTATE  
By 

8 DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11	In the Matter of the Accusation of )	No. H-35219 LA
12	COMFORT SALES & SERVICES, )	<u>A C C U S A T I O N</u>
13	INC., and AFAQ AHMED, )	
14	individually and as )	
15	designated officer of )	
16	the corporation, )	
	Respondents. )	

17 The Complainant, Robin L. Trujillo, a Deputy Real  
18 Estate Commissioner of the State of California, for cause of  
19 accusation against COMFORT SALES & SERVICES, INC., and  
20 AFAQ AHMED, individually and as designated officer of the  
21 corporation, alleges as follows:

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I

The Complainant, Robin L. Trujillo, acting in her official capacity as a Deputy Real Estate Commissioner of the State of California, makes this Accusation against COMFORT SALES & SERVICES, INC., dba Affordable Properties, and AFAQ AHMED.

II

COMFORT SALES & SERVICES, INC., and AFAQ AHMED, individually, and as designated officer of said corporation (hereinafter referred to as "Respondents"), are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

Respondent CSSI was originally licensed as a real estate broker on January 8, 2007. The corporate license will expire on January 7, 2011. Pursuant to Code Section 10159.2, Respondent AFAQ AHMED is responsible for the supervision and control of the activities conducted on behalf of the corporation by its officers and employees as necessary to secure full compliance with the provisions of the real estate law, including the supervision of salespersons licensed to the corporation in the performance of acts for which a real estate license is required.

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1 IV

2 At all times material herein, Respondents engaged in  
3 the business of, acted in the capacity of, advertised or assumed  
4 to act as a real estate broker in the State of California, within  
5 the meaning of Section 10131(a) of the Code, including soliciting  
6 buyers and sellers and negotiating the sale of real property.

7 V

8 In connection with Respondents' activities as a real  
9 estate broker, as described above, Respondents violated Section  
10 10137 of the Code in that in or about March, 2008, Respondents  
11 employed Consuelo Saavedra, who was not licensed to Respondent  
12 CSSI as a real estate salesperson, to solicit and negotiate the  
13 sale of real property located at 2564 Pleasant Colony Street,  
14 Perris, California, from Joey King to Luz M. Ortega.

15 VI

16 The conduct, acts, and/or omissions of Respondents,  
17 CSSI, and AFAQ AHMED, as alleged above, subjects their real  
18 estate licenses and license rights to suspension or revocation  
19 pursuant to Sections 10137, 10177(d) and/or 10177(g) of the Code.

20 VII

21 The conduct, acts, and/or omissions of Respondent AFAQ  
22 AHMED, in failing to ensure full compliance with the Real Estate  
23 Law is in violation of Section 10159.2 of the Code and subjects  
24 his real estate licenses and license rights to suspension or  
25 revocation pursuant to Sections 10177(d), 10177(g) and/or  
26 10177(h) of the Code.

27 ///

1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against all licenses and license rights of Respondents  
5 COMFORT SALES & SERVICES, INC., and AFAQ AHMED, under the Real  
6 Estate Law (Part 1 of Division 4 of the Business and Professions  
7 Code) and for such other and further relief as may be proper  
8 under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this 4 day of August, 2008.

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14 ROBIN L. TRUJILLO  
15 Deputy Real Estate Commissioner  
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25 cc: CSSI  
26 Afaq Ahmed  
27 Robin L. Trujillo  
Sacto.