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FILED
OCT - 8 2009

DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-35854 LA
)	
HAKIMULLAH SARPAS,)	
)	
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On April 10, 2009, the Accusation was filed in this matter against Respondent HAKIMULLAH SARPAS.

On August 10, 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 HAKIMULLAH SARPAS'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 August 10,

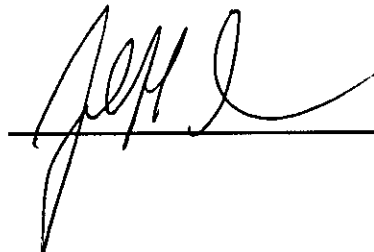
1 2009 (attached as Exhibit "A" hereto). Respondent's license
2 certificates, pocket cards and any branch office license
3 certificate shall be sent to the below listed address so that
4 they reach the Department on or before the effective date of this
5 Order:

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

10 This Order shall become effective at 12 o'clock noon
11 on October 28, 2009.

12 DATED: 9-29, 2009

13 JEFF DAVI
14 Real Estate Commissioner

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-35854 LA
)	
HAKIMULLAH SARPAS,)	
)	
)	
Respondent.)	

DECLARATION

My name is Hakimullah Sarpas 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) HAKIMULLAH SARPAS 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, HAKIMULLAH SARPAS can only have it reinstated in

1 accordance with the provisions of Section 11522 of the Government
2 Code. I also understand that by so voluntarily surrendering the
3 license, HAKIMULLAH SARPAS 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 HAKIMULLAH SARPAS that he waives all rights he has
8 to 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-35854 LA may be considered by the Department to be
22 true and correct for the purpose of deciding whether to grant
23 relicensure of HAKIMULLAH SARPAS's license pursuant to Government
24 Code Section 11522.

25 (4) HAKIMULLAH SARPAS freely and voluntarily surrenders all
26 of his licenses and license rights under the Real Estate Law.
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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 8-10, 2009, at Orange County, California.

Hakimullah Sarpas
HAKIMULLAH SARPAS

R. Trujillo

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JAMES R. PEEL, Counsel (SBN 47055)
Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, CA 90013-1105

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

FILED
APR 10 2009
DEPARTMENT OF REAL ESTATE
By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-35854 LA
HAKIMULLAH SARPAS,)	<u>A C C U S A T I O N</u>
)	
Respondent.)	

The Complainant, Robin L. Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against HAKIMULLAH SARPAS, alleges as follows:

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 HAKIMULLAH SARPAS.

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II

HAKIMULLAH SARPAS (hereinafter referred to as "Respondent") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code).

III

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson dba Statewide Financial Group, Inc. and US Homeowners Assistance. From May 12, 2008 through August 14, 2008 Respondent was employed by real estate broker Frank Joseph Morris.

IV

During 2008, for or in expectation of compensation, Respondent solicited and negotiated re-finance loans on real property for borrowers Sherry Cole, Patricia Onnela, and Valerie Walden.

V

Respondent violated Code Section 10145(c) by collecting advance fees from the borrowers and failing to turn the funds over to his employing broker. Respondent misappropriated the advance fees collected from the borrowers without the knowledge or permission of the borrowers.

VI

Respondent's activities are acts requiring a real estate broker license under the provisions of Code Section 10131(d) and (e).

VII

1
2 The conduct of Respondent, as alleged above, subjects
3 his real estate license and license rights to suspension or
4 revocation pursuant to Sections 10177(f) and 10177(j) of the
5 Code, and Section 10177(d) for violation of Code Sections 10130
6 and 10145(c).

7 WHEREFORE, Complainant prays that a hearing be
8 conducted on the allegations of this Accusation and that upon
9 proof thereof, a decision be rendered imposing disciplinary
10 action against all licenses and license rights of Respondent
11 HAKIMULLAH SARPAS under the Real Estate Law (Part 1 of Division 4
12 of the Business and Professions Code) and for such other and
13 further relief as may be proper under other applicable provisions
14 of law.

15 Dated at Los Angeles, California

16 this 1 day of April, 2009.

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19 ROBIN L. TRUJILLO
20 Deputy Real Estate Commissioner

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22
23 cc: Hakimullah Sarpas
24 Robin L. Trujillo
25 Sacto.
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