

Sasoon Sarai

1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013
4
5 (213) 576-6982
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FILED

MAY 08 2012

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	NO. H-37658 LA
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It is hereby stipulated by and between
SHAHIN SASOONESS SARAI (hereinafter "Respondent") and her
attorney, Mary E. Work, and the Complainant, acting by and
through Julie L. To, Counsel for the Department of Real Estate,
as follows for the purpose of settling and disposing of the
Accusation filed on November 9, 2011, 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

1 Procedure Act (APA), shall instead and in place thereof be
2 submitted solely on the basis of the provisions of this
3 Stipulation and Agreement.

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

8 3. On November 16, 2011, Respondent filed a Notice of
9 Defense pursuant to Section 11506 of the Government Code for the
10 purpose of requesting a hearing on the allegations in the
11 Accusation. Respondent hereby freely and voluntarily withdraws
12 said Notice of Defense. Respondent acknowledges that she
13 understands that by withdrawing said Notice of Defense she will
14 thereby waive her right to require the Commissioner to prove the
15 allegations in the Accusation at a contested hearing held in
16 accordance with the provisions of the APA and that she will
17 waive other rights afforded to her in connection with the
18 hearing such as the right to present evidence in defense of the
19 allegations in the Accusation and the right to cross-examine
20 witnesses.
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22 4. Respondent, pursuant to the limitations set forth
23 below, hereby admits that the factual allegations of the
24 Accusation filed in this proceeding are true and correct and the
25 Real Estate Commissioner shall not be required to provide
26 further evidence of such allegations.
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1 5. It is understood by the parties that the Real
2 Estate Commissioner may adopt the Stipulation and Agreement as
3 her Decision in this matter, thereby imposing the penalty and
4 sanctions on Respondent's real estate license and license rights
5 as set forth in the below "Order". In the event that the
6 Commissioner in her discretion does not adopt the Stipulation
7 and Agreement, it shall be void and of no effect, and Respondent
8 shall retain the right to a hearing and proceeding on the
9 Accusation under all the provisions of the APA and shall not be
10 bound by any admission or waiver made herein.

11 6. The Order or any subsequent Order of the Real
12 Estate Commissioner made pursuant to this Stipulation and
13 Agreement shall not constitute an estoppel, merger or bar to any
14 further administrative or civil proceedings by the Department of
15 Real Estate with respect to any matters which were not
16 specifically alleged to be causes for accusation in this
17 proceeding.
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19 DETERMINATION OF ISSUES

20 By reason of the foregoing stipulations, admissions
21 and waivers and solely for the purpose of settlement of the
22 pending Accusation without a hearing, it is stipulated and
23 agreed that the following determination of issues shall be made:

24 The conduct of Respondent, as set forth in the
25 Accusation constitutes grounds for suspension or revocation of
26 Respondent's real estate salesperson license under the
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1 provisions of Sections 490 and 10177(b) of the Business and
2 Professions Code.

3 ORDER

4 WHEREFORE, THE FOLLOWING ORDER is hereby made:

5 All licenses and licensing rights of Respondent SHAHIN
6 SASOONESS SARAI under the Real Estate Law are revoked; provided,
7 however, a restricted real estate salesperson license shall be
8 issued to Respondent pursuant to Section 10156.5 of the Business
9 and Professions Code if Respondent makes application therefor
10 and pays to the Department of Real Estate the appropriate fee
11 for the restricted license within 90 days from the effective
12 date of this Decision. The restricted license issued to
13 Respondent shall be subject to all of the provisions of Section
14 10156.7 of the Business and Professions Code and to the
15 following limitations, conditions and restrictions imposed under
16 authority of that Code:

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18 1. The restricted license issued to Respondent may be
19 suspended prior to hearing by Order of the Real Estate
20 Commissioner in the event of Respondent's conviction or plea of
21 nolo contendere to a crime which is substantially related to
22 Respondent's fitness or capacity as a real estate licensee.

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

4 3. Respondent shall not be eligible to apply for the
5 issuance of an unrestricted real estate license nor for the
6 removal of any of the conditions, limitations or restrictions
7 of a restricted license until two(2) years have elapsed from the
8 date of issuance of the restricted license to Respondent.

9 4. Respondent shall submit with any application for
10 license under an employing broker, or any application for
11 transfer to a new employing broker, a statement signed by the
12 prospective employing real estate broker, on a form approved by
13 the Department, which shall certify:

14 (a) That the employing broker has read the Decision of
15 the Commissioner which granted the right to a restricted license;
16 and

17 (b) That the employing broker will exercise close
18 supervision over the performance by the restricted licensee
19 relating to activities for which a real estate salesperson
20 license is required.


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

8 6. Respondent shall notify th Commissioner in writing
9 within 72 hours of any arrest by sending a certified letter to
10 the Commissioner at the Department of Real Estate, Post Office
11 Box 187000, Sacramento, CA 95818-7000. The letter shall set
12 forth the date of Respondent's arrest, the crime for which
13 Respondent was arrested and the name and address of the
14 arresting law enforcement agency. Respondent's failure to
15 timely file written notice shall constitute an independent
16 violation of the terms of the restricted license and shall be
17 grounds for the suspension or revocation of the license.
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21 DATED: 03-29-12



JULIE L. TO, Counsel for Complainant

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24 I have read the Stipulation and Agreement, have
25 discussed it with my counsel, and its terms are understood by me
26 and are agreeable and acceptable to me. I understand that I am
27 waiving rights given to me by the California Administrative

1 Procedure Act (including but not limited to Sections 11506,
2 11508, 11509 and 11513 of the Government Code), and I willingly,
3 intelligently and voluntarily waive those rights, including the
4 right of requiring the Commissioner to prove the allegations in
5 the Accusation at a hearing at which I would have the right to
6 cross-examine witnesses against me and to present evidence in
7 defense and mitigation of the charges.

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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 fax number (213) 576-6917. Respondent agrees, acknowledges and understands that by electronically sending to the Department a fax copy of her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed copy by the Department shall be as binding on Respondent as if the Department had received the original signed Stipulation and Agreement.

DATED: 3/29/12 Shahin Sarai
SHAHIN SASOONESS SARAI, Respondent

I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

DATED: 3/31/12 Mary E. Work
MARY E. WORK, Attorney for Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on MAY 29 2012

IT IS SO ORDERED 4/23/2012

Wayne S. Bell
Real Estate Commissioner
By WAYNE S. BELL
Chief Counsel