

FILED

MAR 12 2015

BUREAU OF REAL ESTATE

By 

1 Bureau of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982

8 **BEFORE THE BUREAU OF REAL ESTATE**

9 **STATE OF CALIFORNIA**

10 * * *

11 In the Matter of the Accusation of)
12)
13 SHARON DAWN BEHDJOU,)
14)
15 Respondent,)

No. H-39564 LA

STIPULATION
AND
AGREEMENT

16
17 It is hereby stipulated by and between Respondent SHARON DAWN BEHDJOU
18 (sometimes referred to as "Respondent") and the Complainant, acting by and through Elliott
19 Mac Lennan, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and
20 disposing of the Accusation ("Accusation") filed on August 6, 2014, in this matter:

- 21 1. All issues which were to be contested and all evidence which was to be
22 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
23 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA")
24 shall instead and in place thereof be submitted solely on the basis of the provisions of this
25 Stipulation and Agreement ("Stipulation").
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1 2. Respondent has received, read and understands the Statement to Respondent,
2 the Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate in
3 this proceeding.
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5 3. Respondent timely filed a Notice of Defense pursuant to Section 11506 of the
6 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
7 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
8 acknowledges that she understands that by withdrawing said Notice of Defense she thereby
9 waives her right to require the Real Estate Commissioner ("Commissioner") to prove the
10 allegations in the Accusation at a contested hearing held in accordance with the provisions of
11 the APA and that she will waive other rights afforded to her in connection with the hearing such
12 as the right to present evidence in her defense and the right to cross-examine witnesses.
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14 4. This Stipulation is based on the factual allegations contained in the
15 Accusation. In the interest of expedience and economy, Respondent chooses not to contest
16 these allegations, but to remain silent and understands that, as a result thereof, these factual
17 allegations, without being admitted or denied, will serve as a prima facie basis for the
18 disciplinary action stipulated to herein. The Commissioner shall not be required to provide
19 further evidence to prove said factual allegations.
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21 5. This Stipulation is made for the purpose of reaching an agreed disposition of
22 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
23 which the Bureau of Real Estate ("Bureau") the state or federal government, or any agency of
24 this state, another state or federal government is involved, and otherwise shall not be admissible
25 in any other criminal or civil proceedings.
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1 -6. It is understood by the parties that the Real Estate Commissioner may adopt
2 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
3 Respondent's real estate license and license rights as set forth in the "Order" herein below. In
4 the event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void
5 and of no effect and Respondent shall retain the right to a hearing and proceeding on the
6 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
7 made herein.
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9 7. The Order or any subsequent Order of the Commissioner made pursuant to
10 this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
11 civil proceedings by the Bureau of Real Estate with respect to any matters which were not
12 specifically alleged to be causes for Accusation in this proceeding but do constitute a bar,
13 estoppel and merger as to any allegations actually contained in the Accusation against
14 Respondent herein.
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16 DETERMINATION OF ISSUES

17 By reason of the foregoing, it is stipulated and agreed that the following
18 determination of issues shall be made:

19 The conduct, acts and omissions of Respondent SHARON DAWN BEHDJOU,
20 as described in Paragraph 4, above, is in violation of Section 10177(h) of the Business and
21 Professions Code ("Code") and is a basis for suspension or revocation of Respondent's broker
22 license and license rights as a violation of the Real Estate Law pursuant to Code Section
23 10177(d).

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1 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted
2 license.

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

7 4. Respondent shall submit with any application for license under an employing
8 broker, or any application for transfer to a new employing broker, a statement signed by the
9 prospective employing real estate broker on a form approved by the Bureau of Real Estate which
10 shall certify:

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

13 (b) That the employing broker will exercise close supervision over the
14 performance by the restricted licensee relating to activities for which a real
15 estate license is required.

16 5. Respondent shall within six (6) months from the effective date of the new
17 restricted license, take and pass the Professional Responsibility Examination administered by
18 the Bureau including the payment of the appropriate examination fee. If Respondent fails to
19 satisfy this condition, the Commissioner may order suspension of the restricted license until
20 Respondent passes the examination.

21 6. Respondent shall, within nine (9) months from the effective date of this
22 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
23 since the most recent issuance of an original or renewal real estate license, taken and
24 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
25 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
26 the Commissioner may order the suspension of Respondent's license until the Respondent
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1 presents such evidence. The Commissioner shall afford Respondent the opportunity for a
2 hearing pursuant to the Administrative Procedure Act to present such evidence.

3 GENERAL PROVISIONS

4 I.

5 As a further condition for the Commissioner to enter into this Stipulation,
6 Respondent SHARON DAWN BEHDJOU shall provide evidence satisfactory to the Real Estate
7 Commissioner that all violations cited in the Determination of Issues have been corrected prior
8 to the effective date of the Decision.

9 II.

10 All proof required by this Decision, shall be sent to the attention of Bureau of
11 Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013. All checks, if any,
12 unless otherwise specified, are payable to the Bureau of Real Estate. All proof required by this
13 Decision, and all payments required herein, may be made by either cashier's check or made by
14 credit card. Credit card payments shall be accompanied by Form RE 909. Proof and payments
15 shall be sent to the attention of Bureau of Real Estate, Flag Section, P.O. Box 137013,
16 Sacramento, CA 95813-7013.

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18
19 DATED: 02-20-15

20 EML
ELLIOTT MAC LENNAN, Counsel for
Bureau of Real Estate

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EXECUTION OF THE STIPULATION

I have read the Stipulation. 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). 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.

MAILING/FACSIMILE

Respondent (1) shall mail the original signed signature page of the Stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Bureau of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondent (2) shall also facsimile a copy of signed signature page, to the Bureau at the following fax number: (213) 576-6917, Attention: Elliott Mac Lennan.

A facsimile constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a facsimile copy of Respondent's actual signature as it appears on the Stipulation that receipt of the facsimile copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation.

DATED: 02-09-2015


SHARON DAWN BEHDJOU
Respondent

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