

FILED

MAY 03 2022

DEPT. OF REAL ESTATE

By R. P. Scott

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

SHAHRAM ELYASZADEH,

No. H-40741 LA

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On February 1, 2018, a Decision was rendered in Case No. H-40741 LA revoking the real estate broker license of Respondent effective February 28, 2018, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on February 28, 2012, and Respondent has held a restricted licensee since that time.

On January 13, 2021, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and integrity than an applicant for first time licensure. The proof must be sufficient to overcome the prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

1 I have considered the petition of Respondent and the evidence submitted in
2 support thereof.

3 The Department has developed criteria in Section 2911 of Title 10, California
4 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
5 reinstatement of a license. Among the criteria relevant in this proceeding are:

6 ***2911. Criteria for Rehabilitation***

7 *(a)(10) Discharge of, or bona fide efforts toward discharging, adjudicated debts*
8 *or monetary obligations to others.*

9 On May 5, 2015, a \$974,950 judgment lien was issued against Respondent, in
10 favor of Parvin Rabbani. On March 10, 2017, Mr. Rabbani assigned Sunrise
Financial Inc to receive payment of the judgement

11 On August 21, 2008, a \$32,806 judgment lien was issued against Respondent, in
12 favor of the City of Santa Monica.

13 On July 11, 2008, a \$2,630,148 judgment lien was issued against Respondent, in
14 favor of Tony Newman.

15 Respondent has offered no evidence of discharging, or bona fide efforts toward
16 discharging, these debts.

17 *(a)(14) Change in attitude from that which existed at the time of the conduct in*
18 *question as evidenced by the following:*

19 *(B) Evidence from family members, friends and/or other persons familiar with*
20 *applicant's previous conduct and with his or her subsequent attitudes and/or*
21 *behavioral patterns.*

22 Respondent has not submitted any evidence regard a change in attitude from
23 persons familiar with the conduct that led to his license discipline.

24 Respondent has failed to demonstrate to my satisfaction that Respondent has
25 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate
26 broker license at this time.

27 Given the violations found and the fact that Respondent has not established that
Respondent has satisfied Regulations 2911(a)(10) and (a)(14)(B), I am not satisfied that
Respondent is sufficiently rehabilitated to receive a real estate broker license.

1 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
2 reinstatement of Respondent's real estate broker license is denied.

3 This Order shall become effective at 12 o'clock noon on MAY 23 2022.

4 IT IS SO ORDERED 3.16.22

5 DOUGLAS R. McCAULEY
6 REAL ESTATE COMMISSIONER

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