

1 Department of Real Estate
2 320 West 4th Street, Ste. 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED

APR 11 2019

DEPT. OF REAL ESTATE
By *Agred Danner*

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-40763 LA
12)
13 HAMID SOROUDI,) STIPULATION
14) AND
15) AGREEMENT
16)
17 Respondent.)
18)
19)
20)
21)
22)
23)

24 It is hereby stipulated by and between Respondent HAMID SOROUDI
25 (“SOROUDI”), represented by Edward O. Lear, Esq./Century Law Group LLP, and the
26 Complainant, acting by and through Julie L. To, Counsel for the Department of Real Estate
27 (“Department” or “DRE”), as follows for the purpose of settling and disposing of the Accusation
of HAMID SOROUDI (“Accusation”) filed on August 24, 2017, in Case No. H-40763 LA, 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

1 was to be held in accordance with the provisions of the Administrative Procedure Act (“APA”),
2 shall instead and in place thereof be submitted solely on the basis of the provisions of this
3 Stipulation and Agreement (“Stipulation”).

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

7 3. On September 7, 2017, Respondent timely filed his Notice of Defense pursuant
8 to Section 11506 of the Government Code for the purpose of requesting a hearing on the
9 allegations in the Accusation. Respondent hereby freely and voluntarily withdraws said Notice
10 of Defense. Respondent acknowledges that he understands that by withdrawing said Notice of
11 Defense he thereby waives his right to require the Commissioner to prove the allegations in the
12 Accusation at a contested hearing held in accordance with the provisions of the APA and that he
13 will waive other rights afforded to him in connection with the hearing such as the right to present
14 evidence in his defense and the right to cross-examine witnesses.

15 4. This Stipulation is based on the factual allegations contained in the Accusation.
16 In the interest of expedience and economy, Respondent chooses not to contest these allegations,
17 but to remain silent, and understands that, as a result thereof, these factual allegations, without
18 being admitted or denied, will serve as a prima facie basis for the disciplinary action stipulated to
19 herein. The Real Estate Commissioner shall not be required to provide further evidence to prove
20 said factual allegations.

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 Department of Real Estate (“Department”) or another licensing agency of this state,
24 another state, or if the federal government is involved, and otherwise shall not be admissible in
25 any other criminal or civil proceeding.

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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

All licenses and licensing rights of Respondent HAMID SOROUDI under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within ninety (90) days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of that Code:

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

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

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

4. Respondent shall submit with any application for license under an employing broker, or any application for transfer to a new employing broker, a statement signed by the prospective employing broker on a form approved by the Department of Real Estate which shall

1 certify:

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

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

7 5. Respondent shall, within nine (9) months from the effective date of this
8 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
9 since the most recent issuance of an original or renewal real estate license, taken and
10 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
11 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition,
12 the Respondent's real estate license shall automatically be suspended until Respondent presents
13 evidence satisfactory to the Commissioner of having taken and successfully completed the
14 continuing education requirements. Proof of completion of the continuing education courses
15 must be delivered to the Department of Real Estate, Flag Section at P.O. Box 137013,
16 Sacramento, CA 95813-7013.

17 6. Respondent shall notify the Commissioner in writing within seventy-two (72)
18 hours of any arrest by sending a certified letter to the Commissioner at the Bureau of Real Estate,
19 Post Office Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of
20 Respondent's arrest, the crime for which Respondent was arrested, and the name and address of
21 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
22 constitute an independent violation of the terms of the restricted license and shall be grounds for
23 the suspension or revocation of that license.

24 DATED: 3-18-19


25 Julie L. To, Counsel for Complainant

1 * * *

2 EXECUTION OF THE STIPULATION

3 I have read the Stipulation and Agreement, have discussed it with my counsel,
4 and its terms are understood by me and are agreeable and acceptable to me. I understand that I
5 am waiving rights given to me by the California Administrative Procedure Act (including, but
6 not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I
7 willingly, intelligently and voluntarily waive those rights, including the right of requiring the
8 Commissioner to prove the allegations in the Accusation at a hearing at which I would have the
9 right to cross-examine witnesses against me and to present evidence in defense and mitigation of
10 the charges.

11 MAILING AND E-MAIL

12 Respondent shall send a hard copy of the original signed Stipulation and
13 Agreement to: Julie L. To, Department of Real Estate, 320 West Fourth Street, Suite 350, Los
14 Angeles, CA 90013. In the event of time constraints before an administrative hearing,
15 Respondent can signify acceptance and approval of the terms and conditions of this Stipulation
16 and Agreement by emailing a scanned copy of the signature page, as actually signed by
17 Respondent, to the Department of Real Estate counsel assigned to this case. Respondent agrees,
18 acknowledges and understands that by electronically sending the Department of Real Estate a
19 scan of Respondent's actual signature as it appears on the Stipulation and Agreement, that
20 receipt of the scan by the Department of Real Estate shall be binding on Respondent as if the
21 Department of Real Estate had received the original signed Stipulation and Agreement.

22 DATED: March 18, 2019

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24 HAMID SOROUDI, Respondent

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26 *I have reviewed the Stipulation and Agreement as to form and content and have*

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advised my client accordingly.

DATED: 3/18/19

Edward O. Lear, Attorney for
Respondent HAMID SOROUDI

* * *

The foregoing Stipulation and Agreement is hereby adopted as my Decision in this matter and shall become effective at 12 o'clock noon on APR 30 2019.

IT IS SO ORDERED April 3, 2019.

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER