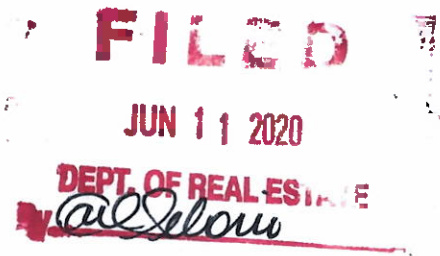


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9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) No. H-41690 LA
13 MAHER HALIM KALDAS,) ACCUSATION
14 Respondent.)
15)

16 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
17 of California, for cause of Accusation against MAHER HALIM KALDAS, also known as
18 Maher H. Kaldas ("Respondent"), alleges as follows:

19 1.

20 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
21 of California, makes this Accusation in her official capacity.

22 2.

23 Respondent presently has restricted license rights under the Real Estate Law,
24 Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate
25 broker (License ID 01077779). Respondent's license is scheduled to expire on March 12, 2022.

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ACCUSATION

1 FIRST CAUSE OF ACCUSATION

2 (DISCIPLINARY ACTION)

3 3.

4 On or about August 30, 2017, before the State of California, Department of
5 Consumer Affairs, Board of Pharmacy ("Board"), the Board adopted the Proposed Decision of
6 the Administrative Law Judge as its Decision in a consolidated matter in which a single
7 proposed decision was issued for two cases, 1. Case No. 5511, OAH No. 2016120241, and 2.
8 Case No. 4668, OAH No. 2016050596. The Proposed Decision ordered that Respondent's
9 license be revoked; however, the revocation was stayed and Respondent was placed on
10 probation for five years on certain terms and conditions, including, in part, suspension from the
11 practice of pharmacy for ninety days, reporting to the Board on a quarterly basis, interviewing
12 with the Board upon reasonable notice, not supervising interns, not serving as a pharmacist in
13 charge, providing reimbursement of Board costs in the amount of \$63,000.00, jointly and
14 severally with another Respondent.

15 The Proposed Decision found that Respondent violated Business and
16 Professions Code section 4076(a) (misabeled prescriptions), Health and Safety Code section
17 11167.5(a) (improper acceptance of orders for Schedule II controlled substances from non-
18 physicians), Business and Professions Code sections 4301(o) and 4342(a) (poor drug quality),
19 Health and Safety Code section 111330 (misbranded drug labels), Health and Safety Code
20 sections 111255 and 111260 (adulterated drugs), Business and Professions Code section 4169
21 (adulterated drugs returned for credit), Business and Professions Code section 4169(a)(3)
22 (shipped misbranded drugs to reverse distributors), Health and Safety Code sections 111380,
23 11390, and 111445 (misbranded drugs), Health and Safety Code section 111395 (misbranded
24 drugs – packaging), Health and Safety Code sections 111440 and 111450 (misbranded drug
25 sales to reverse distributors), Business and Professions Code sections 4081, 4105, and 4333
26 (inaccurate inventory), Business and Professions Code section 4302 (misconduct by owner
27 and/or corporate officer), Business and Professions Code section 4127(a) (unlicensed activity –

ACCUSATION

engaged in sterile compounding without a sterile compounding pharmacy license), Business and Professions Code sections 4301(o) and 4306.5(a) and (b) (unlicensed activity – allowed employee to work as a pharmacy technician for several months with an expired license), and California Code of Regulations, section 1735.7 (failed to maintain compounding competencies on file).

4.

In aggravation, on or about April 18, 2004, before the State of California, Department of Consumer Affairs, Board of Pharmacy (“Board”), Case Nos. 2497 (OAH No. L-2002080148), 2522 (OAH No. L-2002080149), and 2523 (OAH No. L-2002080150), pursuant to a Stipulated Settlement and Disciplinary Order, the Pharmacist License No. RPH 39184 issued to Maher H. Kaldas was revoked. The revocation was stayed and Respondent, and others, were placed on probation for one year on certain terms and conditions, including, in part, reporting to the Board on a quarterly basis, interviewing with the Board upon reasonable notice, providing notice to employers and employees, no performing the duties of a preceptor, supervision of interns, being pharmacist-in-charge, or serving as a consultant, and providing reimbursement of Board costs in the amount of \$7,500.00. Furthermore, Respondents admitted the truth of each and every charge and allegation in Accusation No. 2497, in Statement of Issues No. 2522, and in Statement of Issues No. 2523.

According to the Accusation filed on or about June 26, 2002, Respondent, and others, were subject to disciplinary action for violations of Business and Professions Code section 4160(a) (acting as a wholesaler without a proper license), Business and Professions Code sections 4081, 4105 and 4333 and California Code of Regulations section 1718 (failure to maintain records of acquisition of dangerous drugs), Business and Professions Code section 4059.5(a) (allowed a person other than the pharmacist to receive drugs), and Business and Professions Code section 4119.5 (furnished dangerous drugs to a prescriber in quantities in excess of a reasonable quantity for prescriber office use).

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1 5.

2 The allegations set forth in Paragraph 3 above constitute cause under Sections
3 10177(f), (g), and (j) of the Code for the suspension or revocation of the license and license
4 rights of Respondent under the Real Estate Law.

5 SECOND CAUSE OF ACCUSATION

6 (FAILURE TO REPORT DISCIPLINARY ACTION)

7 6.

8 Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "any
9 disciplinary action taken by another licensing entity or authority of this state or of another state
10 or an agency of the federal government," to the Department of Real Estate ("Department")
11 within thirty (30) days of the disciplinary action. Respondent failed to report in writing to the
12 Department the discipline described in Paragraph 3 above, within thirty (30) days of the
13 disciplinary action.

14 7.

15 Respondent's failure to timely report the disciplinary action constitutes cause
16 under Section 10186.2 of the Code for the suspension or revocation of the license and license
17 rights of Respondent under the Real Estate Law.

18 (COSTS OF INVESTIGATION AND ENFORCEMENT)

19 8.

20 Code Section 10106, provides, in pertinent part, that in any order issued in
21 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
22 may request the administrative law judge to direct a licensee found to have committed a
23 violation of this part to pay a sum not to exceed the reasonable costs of the investigation and
24 enforcement of the case.

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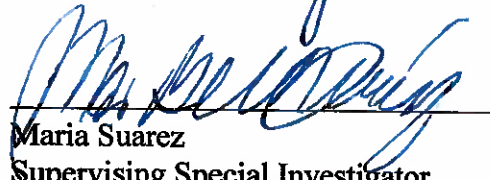
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ACCUSATION

1 WHEREFORE, Complainant prays that a hearing be conducted on the
2 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3 disciplinary action against all the licenses and license rights of Respondent MAHER HALIM
4 KALDAS under the Real Estate Law for the cost of investigation and enforcement as permitted
5 by law, and for such other and further relief as may be proper under other applicable provisions
6 of law.

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8 Dated at Los Angeles, California this 28th day of May, 2020.

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10 
11 Maria Suarez
12 Supervising Special Investigator
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25 cc: MAHER HALIM KALDAS
26 Maria Suarez
27 Sacto.

ACCUSATION