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FILED

MAY 16 2023

DEPT. OF REAL ESTATE

By: [REDACTED]

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 In the Matter of the Application of
12 AKRAM SAMUEL,
13 Respondent.

DRE No. H-42584 LA

STATEMENT OF ISSUES

14
15 The Complainant, Ray Dagnino, a Supervising Special Investigator for the Department of
16 Real Estate¹ of the State of California, brings this Statement of Issues in his official capacity
17 against AKRAM SAMUEL (“Respondent”), aka Akram Ibrahim Samuel, Akran Ibrahim
18 Samuel, Alram I. Samuel, and Akram I. Samuel, and is informed and alleges as follows:

19 1. All references to the “Code” are to the California Business and Professions Code,
20 all references to the “Real Estate Law” are to Part 1 of Division 4 of the Code, and all references
21 to “Regulations” are to Title 10, Chapter 6, of the California Code of Regulations.

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¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

Statement of Facts

2 2. Respondent made application to the Department for a real estate salesperson
3 license on or about February 2, 2022.

4 | Cause for Denial – Prior Discipline

5 3. On March 8, 2005, Dental Board of California (“DBC”) issued a dental license
6 no. 53481 to Respondent.

7 4. On November 17, 2005, the DBC issued a fictitious business name permit no.
8 5840 to Respondent.

9 5. On or about August 6, 2014, the DBC issued a conscious sedation permit no. 899
10 to Respondent.

11 6. On or about April 12, 2016, the DBC filed Accusation No. DBC 2015-74 against
12 Respondent. Respondent filed a Notice of Defense.

13 7. On April 27, 2017, the DBC filed a First Amended Accusation (“Accusation”)
14 No. DBC 2015-74 against Respondent. The DBC’s Accusation alleged that Respondent was
15 subject to disciplinary action for acts including, but not limited to, gross negligence; repeated
16 acts of negligence; unprofessional conduct including the failure to maintain records and
17 documentation and office abandonment; and unprofessional conduct for obtaining fees by fraud,
18 misrepresentation, and engaging in acts involving dishonesty, fraud, or deceit with the intent to
19 substantially benefit himself or substantially injure another. Respondent was afforded a right to a
20 hearing.

21 8. The Respondent entered into a Stipulated Surrender of License with the DBC
22 whereby, Respondent admitted the facts set forth in the DBC's Accusation. The DBC issued a
23 Decision and Order which accepted the surrender of Respondent's dental license no. 53481 and
24 conscious sedation permit no. 899. The surrender of Respondent's DBC license and permit

1 constituted the imposition of discipline against Respondent. The surrender of Respondent's DBC
2 license and permit became effective on May 15, 2017.

3 9. On or about August 19, 2021, Respondent submitted a petition for reinstatement
4 of Respondent's surrendered dental license.

5 10. On April 5, 2022, an administrative hearing was held before the Office of
6 Administrative Hearings in Case No. 2021120796.

7 11. On April 13, 2022, a Proposed Decision was issued in Case No. 2021120796. The
8 Order granted Respondent's petition for reinstatement of Respondent's dental license. The dental
9 license no. 53481 was reinstated and immediately revoked. However, the revocation was stayed
10 and Respondent's dental license was placed on probation for five years under certain conditions.

11 12. On July 3, 2022, the DBC's decision to adopt the Proposed Decision in Case No.
12 2021120796 became effective.

13 13. Respondent's dental license no. 53481 is currently in active, probationary status,
14 subject to restrictions.

15 14. Code section 10177, subdivision (f), provides that the Real Estate Commissioner
16 may suspend or revoke the license of a real estate licensee if a licensee acted or conducted
17 themselves in a manner that would have warranted the denial of their application for a real estate
18 license, either had a license denied or had a license issued by another agency of this state,
19 another state, or the federal government revoked, surrendered, or suspended, or received an order
20 of debarment, for acts that, if done by a real estate licensee, would be grounds for the suspension
21 or revocation of a California real estate license, if the action of denial, revocation, surrender,
22 suspension, or debarment by the other agency or entity was taken only after giving the licensee
23 or applicant fair notice of the charges, an opportunity for a hearing, and other due process
24 protections comparable to the Administrative Procedure Act (Chapter 3.5 (commencing with

1 Section 11340), Chapter 4 (commencing with Section 11370), and Chapter 5 (commencing with
2 Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), and only upon an
3 express finding of a violation of law by the agency or entity.

4 15. Respondent's conduct, acts, and/or omissions, as described above, if done by a
5 real estate licensee, would be grounds for the suspension or revocation of a real estate license
6 pursuant to Code section 10148, 10162, 10165, 10176, subdivisions (a) and (i), and Code section
7 10177, subdivisions (d), (g), and (j).

8 16. The stayed revocation, probation, restriction, and surrender of Respondent's DBC
9 license and permit constitutes cause for the denial of Respondent's application for a real estate
10 salesperson license pursuant to Code section 10177, subdivision (f).

11 In Aggravation

12 17. On or about June 8, 2016, a felony complaint was filed against Respondent in the
13 matter of the *People v. Akram Ibrahim Samuel*, before the Superior Court of California, Orange
14 County, in Case No. 16WF1207. Respondent was charged with three counts of violations of
15 Penal Code section 487(a)/506 (Embezzlement by fiduciary of trust), and one count of a
16 violation of Penal Code section 368(d)(1) (theft from elder adult exceeding \$950), all felonies.

17 18. On January 24, 2017, in Case No. 16WF1207, the Superior Court issued an order
18 pursuant to Penal Code section 23 that Respondent's dentist license no. 53481 was restricted and
19 Respondent was prohibited from participating in any activity that required a dental license
20 through the pendency of that criminal proceeding.

21 19. On or about June 8, 2018, before the Superior Court of California, Orange
22 County, in Case No. 16WF1207, Respondent pled guilty to, and was convicted of violating three
23 counts of Penal Code section 487(a)/506 (Embezzlement by fiduciary of trust) and one count of
24 Penal Code section 368(d)(1) (theft from elder adult exceeding \$950), all felonies.

1 20. On or about July 9, 2021, in Case No. 16WF1207, the Superior Court granted a
2 Motion to Dismiss pursuant to Penal Code section 1203.4. Respondent's guilty plea was set
3 aside, a plea of not guilty was entered, and the case was dismissed as to counts 1, 2, 3, and 4
4 pursuant to Penal Code section 1203.4.

5 These proceedings are brought under the provisions of Section 10100, Division 4 of the
6 Business and Professions Code of the State of California and Sections 11500 through 11528 of
7 the California Government Code.

8 WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing
9 and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the
10 issuance of, and deny the issuance of, a real estate salesperson license to Respondent and for
11 such other and further relief as may be proper under applicable provisions of law.

12 Dated May 11, 2023 at Los Angeles, California.

RAY DAGNINO
Supervising Special Investigator

18 cc: Akram Samuel
19 Ray Dagnino
19 Sacto.