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**FILED**

**MAR 17 2025**

**DEPT. OF REAL ESTATE**

By—

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 In the Matter of the Accusation of  
11 NICK ROSHDIEH,  
12 Respondent.

No. H-42952-LA  
SECOND AMENDED ACCUSATION

13 **This Second Amended Accusation amends the First Amended Accusation filed on**  
14 **September 23, 2024.** The First Amended Accusation ("FAA") is amended to substitute  
15 Supervising Special Investigator Ray Dagnino for Jason Parson as the Complainant, to revise  
16 Paragraphs 3 and 7 so that the case name and number for the federal criminal proceeding reflects  
17 the caption of that proceeding, and to allege a third cause of accusation for Respondent's failure to  
18 disclose a pending criminal action in his Salesperson Renewal Application. Paragraph 10 of the  
19 FAA has been renumbered as Paragraph 14. No other parts of the FAA are affected.

20 The Complainant, Ray Dagnino, a Supervising Special Investigator for the Department of  
21 Real Estate ("Department" or "DRE") of the State of California, for cause of Accusation against  
22 NICK ROSHDIEH, also known as Nick A. Roshpieh, Nick A. Roshier, Nick Ali Orshdieh, Nick  
23 A. Roshdiem, Ali Roshdieh, and Nick Ali Roshdieh ("Respondent"), is informed and alleges:

24 1. The Complainant, Ray Dagnino, acting in his official capacity as a Supervising  
25 Special Investigator, makes this Accusation against Respondent.

26 2. Respondent presently has license rights under the Real Estate Law, Part 1 of Division  
27 4 of the California Business and Professions Code ("Code"), as a real estate salesperson ("RES")  
28 (DRE license identification number 01339587).

1 FIRST CAUSE OF ACCUSATION

2 (Criminal Conviction)

3 3. On or about September 1, 2023, in the United States District Court for the Central  
4 District of California, in the case of *United States of America v. Nick Roshdieh, et al.*, Case No.  
5 8:21-00221-JLS, Respondent was convicted based on his guilty plea for violations of Title 18 of the  
6 United States Code ("U.S.C."), sections 371 (conspiracy (Count 1)) and 220(a)(2) (illegal  
7 remunerations for referral to clinical treatment facilities (Count 5)), both of which are felonies. The  
8 court sentenced Respondent to be committed to the custody of the Federal Bureau of Prisons to be  
9 imprisoned for a term of 18 months on each count, to be served concurrently, and ordered that  
10 Respondent pay a special assessment of \$200.00 and a fine of \$15,000.00, and that upon release  
11 from imprisonment, Respondent be placed on supervised release for a term of three (3) years subject  
12 to terms and conditions including but not limited to: not working for, owning, or otherwise receiving  
13 revenues from any addiction treatment facility, sober living home, urinalysis facility, or any business  
14 otherwise providing addiction treatment; not being employed by, affiliated with, owning, controlling,  
15 volunteering for, or otherwise participating, directly or indirectly, in any business involving  
16 federally funded or state funded health insurance or entitlement programs without the express  
17 written approval of the Probation Officer prior to engaging in such employment; and reporting this  
18 conviction to the California Department of Real Estate.

19 4. The conviction, as described in Paragraph 3 above, bears a substantial relationship  
20 under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
21 functions, or duties of a real estate licensee.

22 5. The crime for which Respondent was convicted, as described in Paragraph 3 above,  
23 constitutes cause under Code sections 490 and 10177(b) for the suspension or revocation of the  
24 license and license rights of Respondent under the Real Estate Law.

25 SECOND CAUSE OF ACCUSATION

26 (Failure To Report Felony Charges)

27 6. The Complainant realleges and incorporates by reference all of the allegations  
28 contained in the previous paragraphs as though fully set forth herein.

7. On or about December 15, 2021, in the United States District Court for the Central District of California, in the case of *United States of America v. Nick Roshdieh, et al.*, Case No. 8:21-00221-JLS, an indictment was filed charging Respondent with violations of 18 U.S.C. sections 371 (conspiracy (Count 1)) and 220(a)(2), 2 (illegal remunerations for referral to clinical treatment facilities (Counts 2 through 7)), all of which are felonies.

8. Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "The bringing of a criminal complaint, information, or indictment charging a felony against the licensee" to the Department within thirty (30) days of the of the date of the bringing of the indictment or the charging of a felony. Respondent failed to report in writing to the Department the bringing of an indictment charging felonies against him, as alleged in Paragraph 7 above, within thirty (30) days of the bringing of an indictment charging felonies against him.

9. Respondent's failure to timely report the bringing of the felony indictment violates Code section 10186.2 and constitutes cause under Code sections 10186.2 and 10177(d) and/or 10177(g) for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

### THIRD CAUSE OF ACCUSATION

**(Failure to Disclose Pending Criminal Charges in License Renewal Application)**

10. Complainant realleges and incorporates by reference the allegations contained in contained in the previous paragraphs as though fully set forth herein.

11. As alleged in further detail above in Paragraph 7, on or about December 15, 2021, Respondent was indicted in the United States District Court for the Central District of California, in the case of *United States of America v. Nick Roshdieh, et al.*, Case No. 8:21-00221-JLS (“*USA v. Roshdieh*”). The felony charges in the indictment were pending against Respondent until his conviction on or about September 1, 2023.

12. On or about March 8, 2022, Respondent submitted a Salesperson Renewal Application, DRE form RE 209, to the DRE to renew his California real estate salesperson license. In response to Question 13 of the renewal application, under “BACKGROUND INFORMATION,” to wit, “ARE THERE CRIMINAL CHARGES PENDING AGAINST YOU AT THIS TIME, OR

1 ARE YOU CURRENTLY AWAITING JUDGMENT AND SENTENCING FOLLOWING  
2 ENTRY OF A PLEA OR JURY VERDICT? IF YES, COMPLETE ITEM 18." Respondent marked  
3 the checkbox for "NO."

4 13. Respondent's failure to disclose the criminal charges in the indictment filed on or  
5 about December 15, 2021, in *USA v. Roshdieh*, as set forth in Paragraphs 7 and 11 above, in his  
6 Salesperson Renewal Application constitutes the procurement, or attempted procurement, of a  
7 license renewal by fraud, misrepresentation, or deceit, or by making a material misstatement of fact  
8 in an application for license renewal, and constitutes cause for the suspension or revocation of a real  
9 estate license under Code section 10177(a).

10 COSTS OF INVESTIGATION AND ENFORCEMENT

11 14. California Business and Professions Code section 10106, provides, in pertinent part,  
12 that in any order issued in resolution of a disciplinary proceeding before the Department of Real  
13 Estate, the Commissioner may request the administrative law judge to direct a licensee found to  
14 have committed a violation of this part to pay a sum not to exceed the reasonable costs of the  
15 investigation and enforcement of the case.

16 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this  
17 Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against  
18 all the licenses and license rights of Respondent NICK ROSHDIEH under the Real Estate Law, for  
19 the costs of investigation and enforcement as permitted by law, and for such other and further relief  
20 as may be proper under other applicable provisions of law.

21  
22 Dated March 14, 2025, at Los Angeles, California.

23  
24   
25 Ray Dagnino  
Supervising Special Investigator

26 cc: NICK ROSHDIEH  
27 Real Estate of the Pacific Inc.  
28 Ray Dagnino  
Sacto.