

1 Amelia V. Vetrone, SBN 134612
2 Bureau of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 Direct: (213) 576-6940

FILED

AUG 01 2016

BUREAU OF REAL ESTATE

By 

7
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-04820 SD

12 FARID KHAYAMIAN,)

ACCUSATION

13 Respondent.)
14

15 The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the
16 State of California, for cause of Accusation against FARID KHAYAMIAN ("Respondent") is
17 informed and alleges as follows:

18 1.

19 The Complainant, Veronica Kilpatrick, makes this Accusation in her official
20 capacity.

21 2.

22 All references to the "Code" are to the California Business and Professions Code,
23 all references to the "Real Estate Law" are to Part 1 of Division 4 of the Code, and all references
24 to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

25 3.

26 Respondent has been licensed by the Bureau as a real estate salesperson since
27 November 20, 2007, and his real estate license will expire on November 27, 2019.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

4.

At all times mentioned, in the City and County of San Diego, California, Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code Section 10131(a), including the solicitation for listings of and the negotiation of the purchase and sale of real property as the agent of others.

5.

On May 11, 2015, on behalf of prospective real property purchasers Farhad E. and Mariam Y., Respondent prepared a written offer to purchase real property located at 637 S. Broadway, Escondido, California. The offer was accepted and escrow was opened.

6.

During the course of the escrow, the buyers' lender had requested that a structural pest control inspection report, also known as a "termite clearance," be provided for the real property being purchased. Respondent communicated to the mortgage loan broker that the buyer would pay for such a report.

7.

On June 6, 2015, Respondent sent an email to the mortgage loan officer with the subject, "Termite Clearance On Broadway [Buyer's Name]," and the body of the email stated, "Please see attached!" The attachment to the email was a purported Standard Notice of Work Completed and Not Completed from Cartwright Termite & Pest Control, Inc., dated June 3, 2015.

8.

In fact, that termite clearance was not genuine and Cartwright Termite & Pest Control, Inc. had not created any such document. Respondent subsequently provided a termite clearance from Antimite Termite and Pest Control which was genuine and the buyers were able to close escrow on their purchase.

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

9.

The conduct, acts and omissions of Respondent, as set forth above, are cause for the suspension or revocation of his license and license rights pursuant to Code Sections 10176(a), 10176(i), 10177(d), and/or 10177(g).

10.

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

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against the license and license rights of Respondent FARID KHAYAMIAN under the Real Estate Law, for the costs of investigation and enforcement, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at San Diego, California: July 28, 2016.

V. Kilpatrick
Veronica Kilpatrick
Supervising Special Investigator

cc: Farid Khayamian
Bluxen, Inc. / Bitu Hamidi
Veronica Kilpatrick
Sacto