

FL 167

FILED

JUL 18 2012

DEPARTMENT OF REAL ESTATE

BY: [Signature]

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

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-36171 LA
)	L-2010060119
<u>JHCN ENTERPRISE, INC.;</u>)	
<u>JOHN B. SPEAR, individually,</u>)	
And as designated officer)	
Of the corporation; and)	
JEROME FARD NALBANDIAN,)	
)	
Respondents.)	
)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On August 12, 2009, an Accusation was filed in this matter against Respondent JHCN ENTERPRISE, INC.

On May 16, 2012, Respondent JHCN ENTERPRISE, INC. petitioned the Commissioner to voluntarily surrender its real estate broker license(s) pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent JHCN ENTERPRISE, INC.'s petition for voluntary surrender of its real estate broker license(s) is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement

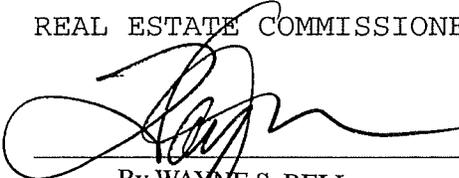
1 expressed in Respondent's Declaration dated May 16, 2012,
2 (attached as Exhibit "A" hereto). Respondent's license
3 certificate(s), pocket card(s) and any branch office license
4 certificate(s) shall be sent to the below listed address so that
5 they reach the Department on or before the effective date of this
6 Order:

7 Department of Real Estate
8 Atten: Licensing Flag Section
9 P.O. Box 187000
10 Sacramento, CA 95818-7000

11 This Order shall become effective at 12 o'clock noon
12 on AUG 07 2012.

13 DATED: July 13, 2012.

14 REAL ESTATE COMMISSIONER

15 

16 By WAYNE S. BELL
17 Chief Counsel

EXHIBIT A

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

10	In the Matter of the Accusation of)	No. H-36171 LA
)	L-2010060119
11	<u>JHCN ENTERPRISE, INC.;</u>)	
12	JOHN B. SPEAR, individually,)	
13	And as designated officer)	SURRENDER DECLARATION
14	Of the corporation; and)	
15	JEROME FARD NALBANDIAN,)	
)	
	Respondents.)	
)	

16
17 My name is Jerome Fard Nalbandian, and I am currently
18 an officer of JHCN ENTERPRISE, INC., which is licensed as a real
19 estate broker and/or has license rights with respect to said
20 license. I am authorized and empowered to sign this declaration
21 on behalf of JHCN ENTERPRISE, INC. JHCN ENTERPRISE, INC. is
22 represented in this matter by Eric S. Jacobson, Esq.

23 In lieu of proceeding in this matter in accordance with
24 the provisions of the Administrative Procedure Act (Sections
25 11400 et seq., of the Government Code) JHCN ENTERPRISE, INC.
26 wishes to voluntarily surrender its real estate license issued by
27 the Department of Real Estate ("Department"), pursuant to
Business and Professions Code Section 10100.2.

1 I understand that JHCN ENTERPRISE, INC., by so
2 voluntarily surrendering its license, can only have it reinstated
3 in accordance with the provisions of Section 11522 of the
4 Government Code. I also understand that by so voluntarily
5 surrendering its license, JHCN ENTERPRISE, INC. agrees to the
6 following:

7 The filing of this Declaration shall be deemed as its
8 petition for voluntary surrender. It shall also be deemed to be
9 an understanding and agreement by JHCN ENTERPRISE, INC. that, it
10 waives all rights it has to require the Commissioner to prove the
11 allegations contained in the Accusation filed in this matter at a
12 hearing held in accordance with the provisions of the
13 Administrative Procedure Act (Government Code Sections 11400 et
14 seq.), and that it also waives other rights afforded to it in
15 connection with the hearing such as the right to discovery, the
16 right to present evidence in defense of the allegations in the
17 Accusation and the right to cross-examine witnesses. I further
18 agree on behalf of JHCN ENTERPRISE, INC. that upon acceptance by
19 the Commissioner, as evidenced by an appropriate order, all
20 affidavits and all relevant evidence obtained by the Department
21 in this matter prior to the Commissioner's acceptance, and all
22 allegations contained in the Accusation filed in the Department
23 Case No. H-36171 LA, may be considered by the Department to be
24 true and correct for the purpose of deciding whether or not to
25 grant reinstatement of JHCN ENTERPRISE, INC.'s license pursuant
26 to Government Code Section 11522.

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

A copy of the Commissioner's Criteria of Rehabilitation is attached hereto. If and when a petition application is made for reinstatement of a surrendered license, the Real Estate Commissioner will consider as one of the criteria of rehabilitation, whether or not restitution has been made to any person who has suffered monetary losses through "substantially related" acts or omissions of Respondent(s), whether or not such persons are named in the Accusation filed in this case.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am acting freely and voluntarily on behalf of JHCN ENTERPRISE, INC. to surrender its license and all license rights attached thereto.

DATE: 5-16-12


JHCN ENTERPRISE, INC.
By Jerome Fard Nalbandian