



CITATION ORDER

Name: Leyla Susan Zabih
Address: 712 Bancroft Road, #451, Walnut Creek, CA 94598
License Number: PF – 189
Case Number: PF – 2023 – 33
Issue Date: August 29, 2023

Fine Amount: \$500

Order of Abatement/Correction Included: No

Due Date: September 28, 2023

I, Rebecca May, hereby issue this citation solely in my official capacity as Bureau Chief of the Professional Fiduciaries Bureau (Bureau) for the Department of Consumer Affairs.

CITATION

The Bureau is authorized to issue citations containing orders of abatement and/or administrative fines pursuant to Business and Professions Code (BPC) sections 125.9 and 6580(b)(1) against a professional fiduciary who has committed any acts or omissions which are in violation of the Professional Fiduciaries Act or the regulations contained in California Code of Regulations (CCR), title 16, division 41. The Bureau has determined that cause exists to issue a citation to you for the violations described below.

REASON FOR CITATION

Your professional fiduciary license expires annually on June 30 and your annual statement is due 60 days prior to the expiration of your license on May 1. On August 21, 2008, upon passing the professional fiduciary licensing examination, the Bureau sent a letter to you with a Notice of Licensee Responsibilities, which outlined your reporting responsibilities upon licensure.

The Bureau conducted an audit of your file and determined the annual statements you submitted for 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022 were not received by May 1. Further, your annual statements for 2011, 2012,

and 2015 were received after your license expired on June 30. Most recently, your 2023 annual statement was received on July 11, 2023, after the expiration of your license.

During the times your license has been expired, you continued to operate and hold yourself out to the public as a professional fiduciary. The Bureau's records indicate the open cases under your management during the times you operated with an expired license exceed the number of cases you are permitted to have without a valid professional fiduciary license.

VIOLATION(S)

- BPC Section 6530 – “On and after January 1, 2009, no person shall act or hold himself or herself out to the public as a professional fiduciary unless that person is licensed as a professional fiduciary in accordance with the provisions of this chapter.”
- BPC Section 6531 states – “A professional fiduciary shall not operate with an expired, suspended, retired, canceled, or revoked license.”
- BPC Section 6562 states - “The annual statement shall be filed with the bureau 60 days prior to the expiration of the license as provided in subdivision (a) of Section 6541.”
- CCR Section 4540 (b) states – “A licensee is required to file an annual statement that complies with the requirements of Section 4542 no later than sixty (60) days prior to the expiration of the license. A licensee may be subject to cite or fine or disciplinary action for failure to comply with this subdivision.”

ORDER OF ABATEMENT AND CORRECTIVE ACTION

There is no order of abatement for this citation.

Under the provisions of CCR, title 16, section 4610(b), if the order of abatement is not contested or if the order is appealed and the person or entity cited does not prevail, failure to abate the violation charged within the time specified in the citation shall constitute a violation and failure to comply with the order of abatement. Failure to timely comply with an order of abatement may result in disciplinary action being taken by the Bureau or other appropriate judicial relief being taken against you.

ADMINISTRATIVE FINE ASSESSED

The fine for this violation is \$500.

Pursuant to BPC Section 125.9, failure to pay a fine within 30 days of the date of assessment, unless the citation is being appealed, may result in disciplinary action being taken by the Bureau. Further, if the citation is not contested, and the fine not paid, the full

amount of the assessed fine shall be added to the fee for renewal of the license. A license shall not be renewed without full payment of any outstanding fines.

COMPLIANCE WITH CITATION

Payment of the administrative fine and evidence of compliance with the order of abatement is required on or before **September 28, 2023**.

Payment of the administrative fine, if any, and compliance with the order of abatement will be considered satisfactory resolution of the violation(s) cited.

APPEAL OF CITATION

You have the right to contest this citation through an informal conference pursuant to CCR Section 4606 or an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

EFFECTIVE DATE OF THE CITATION

A citation that is not contested will become a final order of the Bureau 30 days after the date of issuance.

PAYMENT OF CITATION

Payment shall be made payable to:

Professional Fiduciaries Bureau
1625 North Market Blvd., Suite S-209,
Sacramento, CA 95834

Please indicate the citation number on the cashier's check, money order, or personal check.

Issuance of a citation is subject to public disclosure. Notwithstanding any other provision of law, if a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine and compliance with the order of abatement, if applicable, shall be represented as a satisfactory resolution of the matter for purposes of public disclosure, pursuant to BPC 125.9 (d).

[Signature on File] _____
Rebecca May, Bureau Chief
Professional Fiduciaries Bureau
Department of Consumer Affairs

8/29/23 _____
Date