

FILED  
OCT 14 2011

DEPARTMENT OF REAL ESTATE

By 

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-11087 SF
MONIQUE DZUNG LE,	)	
Respondent.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On March 16, 2011, an Accusation was filed in this matter against Respondent MONIQUE DZUNG LE.

On September 1, 2011, Respondent petitioned the Commissioner to voluntarily surrender her real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent MONIQUE DZUNG LE 'S petition for voluntary surrender of her real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated September 1, 2011 (attached as Exhibit "A")

///

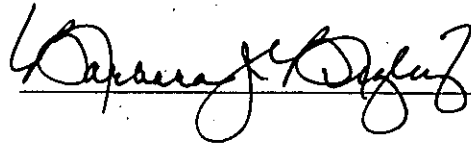
1 hereto). Respondent's license certificate and pocket card shall be sent to the below listed  
2 address so that they reach the Department on or before the effective date of this Order:

3 DEPARTMENT OF REAL ESTATE  
4 Attn: Licensing Flag Section  
5 P. O. Box 187000  
6 Sacramento, CA 95818-7000

7 This Order shall become effective at 12 o'clock noon  
on 11/3/11

8 DATED: 9/20/11

9 BARBARA J. BIGBY  
10 Acting Real Estate Commissioner

11   
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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  
  
MONIQUE DZUNG LE,  
  
Respondent.

No. H-11087 SF

DECLARATION

My name is MONIZUE DZUNG LE, and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am representing myself in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Business and Professions Code), I wish to voluntarily surrender my real estate license(s) issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering my license(s), I may be re-licensed as a broker or as a salesperson only by petitioning for reinstatement pursuant to Section



1 11522 of the Government Code. I also understand that by so voluntarily surrendering my  
2 license(s), I agree to the following:

3 1. The filing of this Declaration shall be deemed as my petition for voluntary  
4 surrender.

5 2. It shall also be deemed to be an understanding and agreement by me that I  
6 waive all rights I have to require the Commissioner to prove the allegations contained in the  
7 Accusation filed in this matter at a hearing held in accordance with the provisions of the  
8 Administrative Procedure Act (Government Code Sections 11400 et seq.), and that I also waive  
9 other rights afforded to me in connection with the hearing such as the right to discovery, the right  
10 to present evidence in defense of the allegations in the Accusation and the right to cross-examine  
11 witnesses.

12 3. I further agree that upon acceptance by the Commissioner, as evidenced by  
13 an appropriate order, all affidavits and all relevant evidence obtained by the Department in this  
14 matter prior to the Commissioner's acceptance may be considered by the Department to be true  
15 and correct for the purpose of deciding whether to grant re-licensure or reinstatement pursuant to  
16 Government Code Section 11522.

17 4. I freely and voluntarily surrender all my licenses and license rights under  
18 the Real Estate Law.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 above is true and correct and that this declaration was executed Sep 01, 2011, at

21  
22 Milpitas, California.  
City

23  
24   
25 MONIQUE BZUNG LE  
26 Respondent  
27

1 RICHARD K. UNO, Counsel (SBN 98275)  
2 Department of Real Estate  
3 P. O. Box 187007  
4 Sacramento, CA 95818-7007

5 Telephone: (916) 227-0789  
6 (916) 227-2380 (Direct)

FILED

MAR 16 2011

DEPARTMENT OF REAL ESTATE

By K. Mat

7  
8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 ) No. H-11087 SF  
13 )  
14 MONIQUE DZUNG LE, ) ACCUSATION  
15 ) Respondent. )

16 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of  
17 the State of California, for cause of Accusation against MONIQUE DZUNG LE, also known as  
18 "Monique Le Nguyen", (Respondent), is informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in his official capacity.

21 2

22 Respondent is presently licensed and/or has license rights under the Real Estate  
23 Law Part 1 of Division 4 of the Business and Professions Code (the Code) as a real estate  
24 salesperson.

25 3

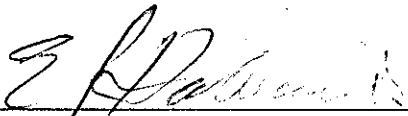
26 On or about December 3, 2010, in the United States District Court, Eastern  
27 District of California, Case No. 1:07-dr-00316-LJO-6, Respondent was convicted of violating

1 18 USC 1341 and 18 USC 1349 (Conspiracy to Commit Mail Fraud), a felony and a crime  
2 which bears a substantial relationship under Section 2910, Title 10, California Code of the  
3 Regulations to the qualifications, functions or duties of a real estate licensee.

4 4

5 The facts alleged in Paragraph 3, above, constitute cause under Sections 490  
6 (Conviction of Substantially Related Crime) and 10177(b) (Further Grounds for Disciplinary  
7 Action- Conviction of Crime) of the Code for suspension or revocation of all licenses and  
8 license rights of Respondent under the Real Estate Law.

9 WHEREFORE, Complainant prays that a hearing be conducted on the  
10 allegations of this Accusation and that upon proof thereof, a decision be rendered imposing  
11 disciplinary action against all licenses and license rights of Respondent under the Real Estate  
12 Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further  
13 relief as may be proper under the provisions of law.

14  
15   
16 \_\_\_\_\_  
17 E. J. HABERER, II  
18 Deputy Real Estate Commissioner

18 Dated at Oakland, California,  
19 this 11<sup>th</sup> day of March, 2011.