

FILED

MAR 27 2013

DEPARTMENT OF REAL ESTATE
BY: 

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8
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

11 * * * * *

12 In the Matter of the Accusation of)

No. H-38781 LA

13 ANCA REALTY SERVICES INC.;

ACCUSATION

14 MARIO ALAN VAZQUEZ, individually)
15 and as former designated officer of)
16 Anca Realty Services Inc.,)

17 FEI PHILIP HSU; individually)
18 and as former designated officer of)
19 Anca Realty Services Inc.,)

20 LOUIS SHING WANG, individually)
21 and as former designated officer of)
22 Anca Realty Services Inc.,)

23 Respondents.

24 The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State
25 of California, for cause of Accusation against ANCA REALTY SERVICES INC., MARIO
26 ALAN VAZQUEZ, FEI PHILIP HSU and LOUIS SHING WANG, individually and as former
27 designated officers of Anca Realty Services Inc., alleges as follows:

1 1.

2 The Complainant, Robin Trujillo, acting in her official capacity as a Deputy Real
3 Estate Commissioner of the State of California, makes this Accusation.

4 2.

5 All references to the "Code" are to the California Business and Professions Code
6 and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

7 License History

8 3.

9 A. At all times mentioned, ANCA REALTY SERVICES INC. ADVISORY
10 SERVICES INC. ("ARSI") was licensed or had license rights issued by the Department of Real
11 Estate ("Department") as a real estate broker. On May 23, 2008, ARSI was originally licensed as
12 a corporate real estate broker. On May 22, 2012, ARSI's license expired, with renewal rights
13 until May 21, 2014 pursuant to Code Section 10201.

14 B. At all times mentioned, MARIO ALAN VAZQUEZ ("VAZQUEZ") was
15 licensed or had license rights issued by the Department as a real estate broker. On June 10, 2010,
16 VAZQUEZ was originally licensed as a real estate broker.

17 C. At all times mentioned, FEI PHILIP HSU ("HSU") was licensed or had license
18 rights issued by the Department as a real estate broker. On September 7, 2001, HSU was
19 originally licensed as a real estate broker. On October 12, 2010, in Case No. H-36859 LA, an
20 Accusation was filed against Respondent HSU, inter alia, that resulted in discipline for
21 Respondent HSU effective November 28, 2011, as set forth below in Paragraph 12.

22 D. At all times mentioned, LOUIS SHING WANG ("WANG") was licensed or
23 had license rights issued by the Department as a real estate broker. On December 9, 1993,
24 WANG was originally licensed as a real estate broker.

25 E. At all times material herein, ARSI was licensed by the Department as a
26 corporate real estate broker by and through VAZQUEZ, HSU and WANG, as the designated
27 officer and formerly designated officer and brokers responsible, pursuant to Code Section

1 10159.2 of the Business and Professions Code for supervising the activities requiring a real estate
2 license conducted on behalf ARSI by ARSI' officers, agents and employees, including HSU and
3 WANG, as set forth below:

4 Table: Tenure of former Designated Officers

5 MARIO ALAN VAZQUEZ	March 2, 2011 to September 27, 2011
6 FEI PHILIP HSU	July 23, 2010 to February 27, 2011
7 LOUIS SHING WANG	June 8, 2009 to July 22, 2010

8
9 F. Rita Soi Wa Chio is a real estate salesperson licensee and ARSI' president and
10 sole shareholder of ARSI.

11 Brokerage

12 4.

13 At all times mentioned, in the City of Temple City, County of Los Angeles, ARSI
14 acted as a real estate broker and conducted licensed activities within the meaning of Code
15 Section 10131(a). Respondents operated residential resale realty and engaged in the business of,
16 acted in the capacity of, advertised or assumed to act as a real estate broker, including the
17 solicitation for listings of and the negotiation of the sale of real property as the agent of others.

18 FIRST CAUSE OF ACCUSATION

19 (Residential Resale Audit of Anca Realty Services Inc.)

20 5.

21 On March 7, 2012, the Department completed an audit examination of the books
22 and records of ARSI pertaining to the residential resale activities described in Paragraph 4 that
23 require a real estate license. The audit examination covered a period of time from June 8, 2009
24 to August 31, 2011. The audit examination revealed violations of the Code and the Regulations
25 as set forth in the following paragraphs, and more fully discussed in Audit Report LA 110005
26 and the exhibits and work papers attached to said audit report.
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Yonggang L.
Ping Ching L.
Jen-Chieh C./Ya-Wen C.
Hsin Yi L.
Kathy L./Jacqueline Yan C./Tong L. & Jeffrey L.
Timothy & Jane J.
WHKF, LLC

(d) (Vazquez, Hsu) Used the fictitious name of "Anca Realty", "Anca Realty Services", "Anca Business Center" and www.AncaRealEstate.com, to conduct licensed activities including a residential resale brokerage, without first obtaining from the Department a license bearing said fictitious business name, in violation of Code Section 10159.5 and Regulation 2731.

(e) (Hsu) Failed to retain all records of ARSI' resale activity for the audit period of June 8, 2009 to August 31, 2011, in violation of Code Section 10148.

(f) (Vazquez, Hsu and Wang) At all time herein mentioned, Respondents HSU and WANG was licensed by the Department as the designated officer of ARSI to qualify it and to act for it as a real estate broker and, as provided by Code Section 10159.2, was responsible for the supervision and control of the activities conducted on behalf of ARSI by its officers, managers and employees as necessary to secure full compliance with the provisions of the Real Estate Law, in violation of Code Section 10177(h) and Regulation 2725.

Disciplinary Statues and Regulations

8.

The conduct of Respondents ARSI, VAZQUEZ, HSU and WANG, described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

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<u>Paragraph</u>	<u>Provisions Violated</u>
1 9(a)	Code Section 10145 and Regulation 2831
2	
3 9(b)	Code Section 10145 and Regulation 2832(d)
4 9 (c)	Code Sections 10176(a)
5 9(d)	Code Section 10159.5 and Regulation 2731
6 9(e)	Code Section 10148 (HSU only)
7	
8 9(f)	Code Sections 10159.2 and 10177(h) and Regulation 2725 (VAZQUEZ, HSU and WANG)

9
10 The foregoing violations constitute cause for the suspension or revocation of the real estate
11 licenses and license rights of Respondents ARSI, VAZQUEZ, HSU and WANG under the
12 provisions of Code Sections 10176(a), 10177(d) and/or 10177(g) and 10177(h) (VAZQUEZ,
13 HSU and WANG).

14 SECOND CAUSE OF ACCUSATION

15 (Negligence)

16 9.

17 The overall conduct of Respondents ARSI, VAZQUEZ, HSU, and WANG
18 constitutes negligence. This conduct and violation are cause for the suspension or revocation of
19 the real estate license and license rights of said Respondents pursuant to Code Section 10177(g).

20 THIRD CAUSE OF ACCUSATION

21 (Breach of Fiduciary Duty)

22 10.

23 The overall conduct of Respondents ARSI, VAZQUEZ, HSU, and WANG
24 constitutes a breach of their fiduciary duty of good faith, trust, confidence and candor, within the
25 scope of their brokerage relationship, owed to ARSI's clientele, in violation of Code Section
26 10177(g) and constitutes cause for discipline of the real estate license and license rights of said
27 Respondents pursuant to said section.

1 FOURTH CAUSE OF ACCUSATION

2 (Supervision and Compliance)

3 11.

4 The overall conduct of Respondents VAZQUEZ, HSU and WANG constitutes a
5 failure on their part, as former officers designated by a corporate broker licensee, to exercise the
6 reasonable supervision and control over the licensed activities of ARSI as required by Code
7 Section 10159.2 and Regulation 2725, and to keep ARSI and its officers including Marvin
8 Humphreys in compliance with the Real Estate Law.

9 PRIOR DEPARTMENT ACTION

10 12.

11 On October 12, 2010, in Case No. H-36859 LA, an Accusation was filed against
12 Respondent FEI PHILIP HSU, inter alia, that resulted in discipline effective November 28, 2011,
13 including a stayed suspension for one year on terms and conditions including successful
14 completion of the Professional Responsibility Examination, for said Respondent for violations of
15 Sections 10177(d), 10177(g) and 1017(h) of the California Business and Professions Code.
16

17 13.

18 Code Section 10106 provides, in pertinent part, that in any order issued in
19 resolution of a disciplinary proceeding before the Department of Real Estate, the Commissioner
20 may request the administrative law judge to direct a licensee found to have committed a violation
21 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
22 of the case.
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2 Code Section 10148(b) provides, in pertinent part the Commissioner shall charge
3 a real estate broker for the cost of any audit, if the commissioner has found in a final decision
4 following a disciplinary hearing that the broker has violated Code section 10145 or a regulation
5 or rule of the commissioner interpreting said section.
6

7 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
8 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
9 action against the license and license rights of Respondents ANCA REALTY SERVICES INC.,
10 MARIO ALAN VAZQUEZ, FEI PHILIP HSU and LOUIS SHING WANG, under the Real
11 Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and
12 further relief as may be proper under other applicable provisions of law, including but not
13 limited to: (1) restitution pursuant to applicable provisions of the California Administrative
14 Procedure Act including Government Code Section 11519.1, (2) costs of audit pursuant to Code
15 Section 10148(b); and (3) costs of investigation and enforcement pursuant to Code Section
16 10106, and as pursuant to applicable provisions of the California Administrative Procedure Act.

17 Dated at Los Angeles, California

18 this *March 27, 2013*

19 
20 Deputy Real Estate Commissioner

21
22 cc: Anca Realty Services Inc.
23 Mario Alan Vazquez, former D.O.
24 Fei Philip Hsu, former D.O.
25 Louis ShingWang, former D.O.
26 Robin Trujillo
Sacto
Audits – Benilda Emery
27