

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

4 Telephone: (213) 576-6982

FILED

FEB 05 2015

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

11 In the Matter of the Accusation of)
12)
13 ANCA REALTY SERVICES INC.;)
14)
15 MARIO ALAN VAZQUEZ, individually)
16 and as former designated officer of)
17 Anca Realty Services Inc.,)
18)
19 FEI PHILIP HSU, individually)
20 and as former designated officer of)
21 Anca Realty Services Inc.,)
22)
23 LOUIS SHING WANG, individually)
24 and as former designated officer of)
25 Anca Realty Services Inc.,)
26 Respondents,)
27)

No. H-38781 LA
L-2014040754

22 It is hereby stipulated by and between Respondent FEI PHILIP HSU (sometimes
23 referred to as "Respondent") represented by Frank M. Buda, Esq. and the Complainant, acting
24 by and through Elliott Mac Lennan, Counsel for the Bureau of Real Estate, as follows for the
25 purpose of settling and disposing of the Accusation ("Accusation") filed on March 27, 2013, in
26 this matter:
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1 1. All issues which were to be contested and all evidence which was to be
2 presented by Complainant and Respondent at a formal hearing on the Accusation, which hearing
3 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA")
4 shall instead and in place thereof be submitted solely on the basis of the provisions of this
5 Stipulation and Agreement ("Stipulation").

6 2. Respondent has received, read and understands the Statement to Respondent,
7 the Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate in
8 this proceeding.

9 3. Respondent timely filed a Notice of Defense pursuant to Section 11506 of the
10 Government Code for the purpose of requesting a hearing on the allegations in the Accusation.
11 Respondent hereby freely and voluntarily withdraws said Notice of Defense. Respondent
12 acknowledges that he understands that by withdrawing said Notice of Defense he thereby
13 waives his right to require the Real Estate Commissioner ("Commissioner") to prove the
14 allegations in the Accusation at a contested hearing held in accordance with the provisions of
15 the APA and that he will waive other rights afforded to him in connection with the hearing such
16 as the right to present evidence in his defense and the right to cross-examine witnesses.
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18 4. This Stipulation is based on the factual allegations contained in the
19 Accusation. In the interest of expedience and economy, Respondent chooses not to contest
20 these allegations, but to remain silent and understands that, as a result thereof, these factual
21 allegations, without being admitted or denied, will serve as a prima facie basis for the
22 disciplinary action stipulated to herein. The Commissioner shall not be required to provide
23 further evidence to prove said factual allegations.
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1 5. This Stipulation is made for the purpose of reaching an agreed disposition of
2 this proceeding and is expressly limited to this proceeding and any other proceeding or case in
3 which the Bureau of Real Estate ("Bureau") the state or federal government, or any agency of
4 this state, another state or federal government is involved, and otherwise shall not be admissible
5 in any other criminal or civil proceedings.

6 6. It is understood by the parties that the Real Estate Commissioner may adopt
7 this Stipulation as his Decision in this matter thereby imposing the penalty and sanctions on
8 Respondent's real estate license and license rights as set forth in the "Order" herein below. In
9 the event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void
10 and of no effect and Respondent shall retain the right to a hearing and proceeding on the
11 Accusation under the provisions of the APA and shall not be bound by any stipulation or waiver
12 made herein.

13 7. The Order or any subsequent Order of the Commissioner made pursuant to
14 this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or
15 civil proceedings by the Bureau of Real Estate with respect to any matters which were not
16 specifically alleged to be causes for Accusation in this proceeding but do constitute a bar,
17 estoppel and merger as to any allegations actually contained in the Accusation against
18 Respondent herein.

19 8. Respondent understands that by agreeing to this Stipulation, Respondent
20 agrees to pay pursuant to Business and Professions Code Section 10148, the cost of the original
21 audit which led to this disciplinary action. The amount of said cost is \$4,098.00.

22 9. Respondent understands that by agreeing to this Stipulation, Respondent
23 agrees to pay pursuant to Business and Professions Code Section 10106, the cost of the
24

1 investigation and enforcement of this matter. The amount of said cost is \$2,764.92.

2 DETERMINATION OF ISSUES

3 By reason of the foregoing, it is stipulated and agreed that the following
4 determination of issues shall be made:

5 The conduct, acts and omissions of Respondent FEI PHILIP HSU, as described
6 in Paragraph 4, above, is in violation of Code Section 10145, Chapter 6 of the California Code
7 of Regulations and is a basis for suspension or revocation of Respondent's broker license and
8 license rights as a violation of the Real Estate Law pursuant to Code Sections 10177(d) and
9 10177(h).

10 ORDER

11 WHEREFORE, THE FOLLOWING ORDER is hereby made:

12 I.

13 All licenses and licensing rights of Respondent FEI PHILIP HSU under the Real
14 Estate Law are suspended for a period of sixty (60) days from the effective date of this Decision;
15 all stayed for two (2) years upon condition that:

- 16 1. Respondent shall obey all laws, rules and regulations governing the rights,
17 duties and responsibilities of a real estate licensee in the State of California; and
18 2. That no final subsequent determination be made after hearing or upon
19 stipulation, which cause for disciplinary action occurred within two (2) years from the effective
20 date of this Decision. Should such a determination be made, the Commissioner may, in his
21 discretion, vacate and set aside the stay order and re-impose all or a portion of the stayed
22 suspension. Should no such determination be made, the stay imposed herein shall become
23 permanent.

24 II.

25 Pursuant to Section 10148 of the Code, Respondent shall pay the sum of
26 \$ 4,098.00 for the Commissioner's cost of the original audit which led to this disciplinary action.
27

1 Respondent shall pay such cost within sixty (60) days of receiving an invoice therefore from the
2 Commissioner. Payment of audit costs should not be made until Respondent receives the
3 invoice. If Respondent fails to satisfy this condition in a timely manner as provided for herein,
4 Respondent's real estate license shall automatically be suspended until payment is made in full,
5 or until a decision providing otherwise is adopted following a hearing held pursuant to this
6 condition.

7 III.

8 All licenses and licensing rights of Respondent are indefinitely suspended unless
9 or until Respondent pays the sum of \$2,764.92 for the Commissioner's reasonable cost of the
10 investigation and enforcement which led to this disciplinary action. Said payment shall be in the
11 form of a cashier's check made payable to the Bureau of Real Estate. The investigative and
12 enforcement costs must be delivered to the Bureau of Real Estate, Flag Section at P.O. Box
13 137013, Sacramento, CA 95813-7013, prior to the effective date of this Order.

14 IV.

15 All licenses and licensing rights of Respondent are indefinitely suspended unless
16 or until Respondent provides proof satisfactory to the Commissioner, of having taken and
17 successfully completed the continuing education course on trust fund accounting and handling
18 specified in paragraph (3) of subdivision (a) of Section 10170.5 of the Business and Professions
19 Code. Proof of satisfaction of these requirements includes evidence that Respondent has
20 successfully completed the trust fund account and handling continuing education courses, no
21 earlier than 120 days prior to the effective date of the Order in this matter. Proof of completion
22 of the trust fund accounting and handling course must be delivered to the Bureau of Real Estate,
23 Flag Section at P.O. Box 137013, Sacramento, CA 95813-7013 or by fax at 916-263-8758, prior
24 to the effective date of this Order.

25 V.

26 Respondent shall within six (6) months from the effective date of the Order, take
27 and pass the Professional Responsibility Examination administered by the Bureau including

1 the payment of the appropriate examination fee. If Respondent fails to satisfy this condition, the
2 Commissioner may order suspension of Respondent's license until Respondent passes the
3 examination.

4 VI.

5 All proof required by this Decision, and all payments required herein, may be
6 made by either cashier's check or made by credit card. Credit card payments shall be
7 accompanied by Form RE 909. Proof and payments shall be sent to the attention of Bureau of
8 Real Estate, Flag Section, P.O. Box 137013, Sacramento, CA 95813-7013.

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11 DATED: 12.08.14

EJL
12 ELLIOTT MAC LENNAN, Counsel for
13 Bureau of Real Estate

14 EXECUTION OF THE STIPULATION

15 I have read the Stipulation and discussed it with my attorney. Its terms are
16 understood by me and are agreeable and acceptable to me. I understand that I am waiving rights
17 given to me by the California Administrative Procedure Act (including but not limited to
18 Sections 11506, 11508, 11509 and 11513 of the Government Code). I willingly, intelligently
19 and voluntarily waive those rights, including the right of requiring the Commissioner to prove
20 the allegations in the Accusation at a hearing at which I would have the right to cross-examine
21 witnesses against me and to present evidence in defense and mitigation of the charges.

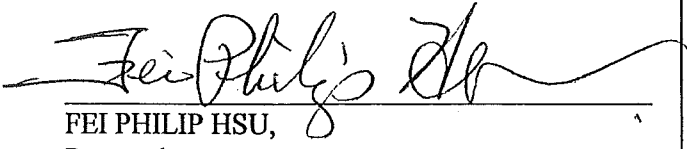
22 MAILING/FACSIMILE

23 Respondent (1) shall mail the original signed signature page of the Stipulation
24 herein to Elliott Mac Lennan: Attention: Legal Section, Bureau of Real Estate, 320 W. Fourth
25 St., Suite 350, Los Angeles, California 90013-1105. Respondent (2) shall also facsimile a copy
26 of signed signature page, to the Bureau at the following fax number: (213) 576-6917, Attention:
27 Elliott Mac Lennan.

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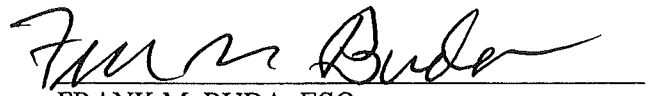
A facsimile constitutes acceptance and approval of the terms and conditions of this Stipulation. Respondent agrees, acknowledges and understands that by electronically sending to the Bureau a facsimile copy of Respondent's actual signature as it appears on the Stipulation that receipt of the facsimile copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original signed Stipulation.

DATED: Nov. 18, 2014



FEI PHILIP HSU,
Respondent

DATED: 11-18-14



FRANK M. BUDA, ESQ.
Attorney for Respondent

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The foregoing Stipulation and Agreement is hereby adopted as my Decision as to

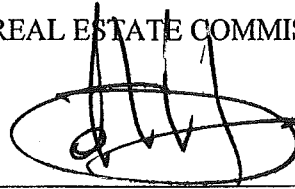
Respondent FEI PHILIP HSU and shall become effective at 12 o'clock noon on

FEB 25 2015

IT IS SO ORDERED

January 29, 2015

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

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