

FILED

JAN 31 2023

DEPT. OF REAL ESTATE

John Aguil

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-41762 LA
)	
LIN LI,)	
)	
Respondent(s).)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on December 13, 2022, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, LIN LI (“Respondent”); (2) affidavits; and (3) other evidence.

This Decision revokes one or more real estate licenses and/or license rights on grounds of conviction of crimes that are substantially related to the qualifications, functions or duties of a real estate licensee and Respondent’s failure to timely report a prior discipline conviction.

Pursuant to Government Code Section 11521, the California Department of Real Estate (“the Department”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On November 7, 2022, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to

Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on November 07, 2022.

2.

On December 13, 2022, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

LICENSE HISTORY

3.

a. Respondent has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code, as a real estate broker ("REB"), Department of Real Estate¹ ("Department") license ID 01846873.

b. The Department originally issued Respondent's REB license on or about August 26, 2010.

c. Respondent's REB license expired on August 25, 2022. Pursuant to Code Section 10201, Respondent retains renewal rights for two years. The Department holds jurisdiction over the lapsed license, pursuant to Code Section 10103.

4.

To date, the Department incurred investigation costs of \$

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on November 07, 2022, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The allegations contained in the Accusation, constitute cause under Sections 490 and 10177(b) (conviction of a crime substantially related to the qualifications, functions or duties of a real estate licensee) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

2.

Respondent's failure to report the prior discipline against him and his conviction constitute causes for discipline under Code Section 10186.2 of the license and license rights of Respondent under the Real Estate Law.

3.

The standard of proof applied was clear and convincing evidence to a reasonable certainty.

ORDER

All licenses and licensing rights of Respondent LIN LI under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB 20 2023.

DATED: 1/24/2023.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner

1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013
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6
7

FILED
DEC 13 2022
DEPT. OF REAL ESTATE
By R. Rosal

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA


10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-41762 LA*
12 LIN LI,)
13 Respondent.) DEFAULT ORDER
14)

15 Respondent LIN LI, having failed to file a Notice of Defense within the time
16 required by Section 11506 of the Government Code, is now in default. It is, therefore,
17 ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED DEC 13 2022.

19 DOUGLAS R. McCAULEY
20 REAL ESTATE COMMISSIONER

21 
22 By: Chika Sunquist (Dec 13, 2022 09:03 PST)
23 CHIKA SUNQUIST
24 Assistant Commissioner, Enforcement
25
26
27

FILED

NOV 07 2022

DEPT. OF REAL ESTATE

By *[Signature]*

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Attorney for Complainant

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	No. H-41762 LA
)	
LIN LI,)	<u>ACCUSATION</u>
)	
Respondent.)	
)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against LIN LI also known as "Aaron Li" ("Respondent") alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

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

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1 LICENSE HISTORY

2 3.

3 a. Respondent has license rights under the Real Estate Law, Part 1 of Division 4
4 of the California Business and Professions Code, as a real estate broker (“REB”), Department
5 of Real Estate¹ (“Department”) license ID 01846873.

6 b. The Department originally issued Respondent’s REB license on or about
7 August 26, 2010.

8 c. Respondent’s REB license expired on August 25, 2022. Pursuant to Code
9 Section 10201, Respondent retains renewal rights for two years. The Department holds
10 jurisdiction over the lapsed license, pursuant to Code Section 10103.

11 4.

12 PRIOR DISCIPLINE

13 On or about August 24, 2020, in Case No. H-41762 LA, the Real Estate
14 Commissioner suspended the REB license of Respondent pursuant Code Section 10177(b)(2).

15 CAUSE FOR DISCIPLINE

16 (CRIMINAL CONVICTION)

17 5.

18 August 23, 2021; 21 United States Code (“U.S.C.”) Section 846 - Misdemeanor

19 a. On or about March 28, 2019, in the United State District Court, Central
20 District of California, in Case No. **EDCR19-103-GW**, United State of California v. Lin Li aka
21 “Aaron Li” and Jimmy Yu, an indictment was filed against Respondent, among others, for
22 multiple violations of 21 U.S.C. Sections (1) 846 (conspiracy), (2) 841(a)(1) and (b)(1)(A)(vii)
23 (possession with intent to distribute at least 1,000 marijuana plants), (3) 856(a)(1) (maintaining
24 a drug-involved premises), (4) 853 (criminal forfeiture), and (5) 18 U.S.C. Section 2(a) (aiding
25 and abetting).

26
27 ¹ Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.

1 b. On or about April 27, 2020, Respondent pled guilty to one count of 21 U.S.C.
2 Sections (1) 846 (conspiracy).

3 c. On or about August 23, 2021, the Court sentenced Respondent to, including,
4 in part, 6 months jail, 3 years of electronic monitoring, and payment of fines and fees.

5 6.

6 The crime of which Respondent was convicted, by its facts and circumstances,
7 bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of
8 Regulations to the qualifications, functions or duties of a real estate licensee and constitutes
9 cause under **Code Sections 490 and 10177(b)** for the suspension or revocation of the license
10 and license rights of Respondent under the Real Estate Law.

11 SECOND CAUSE FOR DISCIPLINE

12 (FAILURE TO REPORT)

13 7.

14 Respondent did not report in writing to the Department of a felony complaint
15 being brought against him, in paragraph 5 above, within thirty (30) days (March 28, 2019).

16 8.

17 Respondent did not report in writing to the Department of his conviction, in
18 paragraph 5 above, within thirty (30) days of the conviction date (April 27, 2020).

19 9.

20 Respondent's failure to report the felony complaint against him and his
21 conviction constitute causes for discipline under **Code Section 10186.2**² of the license and
22 license rights of Respondent under the Real Estate Law.

23 ///

24 _____
25 ² Pursuant to Business and Professions Code 10186.2: (a)(1) A licensee shall report any of the following to the
26 department: (A) The bringing of an indictment or information charging a felony against the licensee. (B) The
27 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or
misdemeanor. (c) Any disciplinary action taken by another licensing entity or authority of this state or of another
state or an agency of the federal government. (2)The report required by this subdivision shall be made in writing
within 30 days of the date of the bringing of the indictment or the charging of a felony, the conviction, or the
disciplinary action. (b) Failure to make a report required by this section shall constitute a cause for discipline.

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10.

These proceedings are brought under the provisions of Section 10100, Division 4 of the Business and Professions Code of the State of California and Sections 11500 through 11528 of the California Government Code.

COSTS

11.

Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, the Commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of investigation and enforcement of the case.

PRAYER

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all licenses and/or license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code) of Respondent LIN LI, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under applicable provisions of law.

Dated at Los Angeles, California this 7th day of November, 2022.

Maria Suarez

Maria Suarez
Supervising Special Investigator

cc: LIN LI
Maria Suarez
Sacto.