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Lana B. Chan

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Application of) NO. H-514 SA
LAN XUAN TRAN THAI,)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On January 27, 1986, pursuant to a Stipulation and Waiver of a hearing, an Order was issued denying the respondent's application for a real estate salesperson license, but granting respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to respondent on March 7, 1986, and respondent has operated as a restricted licensee without cause for disciplinary action against respondent since that time.

On March 20, 1987, respondent petitioned for the removal of restrictions attaching to respondent's real estate salesperson

1 license.

2 I have considered the petition of respondent and the
3 evidence submitted in support thereof including respondent's
4 record as a restricted licensee. Respondent has demonstrated to
5 my satisfaction that respondent meets the requirements of law for
6 the issuance to respondent of an unrestricted real estate
7 salesperson license and that it would not be against the public
8 interest to issue said license to respondent.

9 NOW, THEREFORE, IT IS ORDERED that respondent's petition
10 for removal of restrictions is granted and that an unrestricted
11 real estate salesperson license be issued to respondent after
12 respondent satisfies the following conditions within one (1) year
13 from the date of this Order:

14 1. Submittal of a completed application and payment of
15 the fee for a real estate salesperson license.

16 2. Submittal of evidence satisfactory to the Real
17 Estate Commissioner that respondent has, since the most recent
18 issuance of an original or renewal real estate license, taken and
19 successfully completed the continuing education requirements of
20 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
21 real estate license.

22 This Order shall become effective immediately.

23 DATED: 6-4-87.

24 JAMES A. EDMONDS, JR.
25 Real Estate Commissioner
26 

1bo 27 cc: Lan Xuan Tran Thai
1317 North Glenarbor Street
Santa Ana, CA 92706

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Handwritten signature

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of)
LEN XUAN TRAN THAI, aka)
Len Xuan Tran,)
Respondent.)

NO. H-514 SA

STIPULATION AND WAIVER

I, LEN XUAN TRAN THAI, respondent herein,
do hereby affirm that I have applied to the Department of Real
Estate for a real estate salesperson license and that to the best
of my knowledge I have satisfied all of the statutory requirements
for the issuance of the license, including the payment of the
license fee.

I acknowledge that I have received and read the
Statement of Issues and the Statement to Respondent filed by the
Department of Real Estate on December 30, 1985, in
connection with my application for license. I understand that
the Real Estate Commissioner may hold a hearing on this Statement
of Issues for the purpose of requiring further proof of my

1 honesty and truthfulness and to prove other allegations therein,
2 or that he may in his discretion waive the hearing and grant me
3 a restricted real estate salesperson license based upon this
4 Stipulation and Waiver.

5 I hereby admit that the allegations of the Statement
6 of Issues filed against me are true and correct and request that
7 the Real Estate Commissioner in his discretion issue a restricted
8 real estate salesperson license to me under the authority of
9 Section 10156.5 of the Business and Professions Code.

10 I am aware that by signing this Stipulation and Waiver,
11 I am waiving my right to a hearing and the opportunity through
12 a hearing to obtain an unrestricted real estate license at this
13 time if this Stipulation and Waiver is accepted by the Real
14 Estate Commissioner. However, I am not waiving my right to a
15 hearing and to further proceedings to obtain a restricted or
16 unrestricted license if this Stipulation and Waiver is not
17 accepted by the Commissioner.

18 I further understand that the following conditions,
19 limitations and restrictions will attach to a restricted license
20 issued by the Department of Real Estate pursuant hereto:

21 1. The license shall not confer any property right
22 in the privileges to be exercised, and the Real
23 Estate Commissioner may by appropriate order
24 suspend the right to exercise any privileges
25 granted under this restricted license in the
26 event of:

27 a. The conviction of respondent (including a

1 plea of nolo contendere) to a crime which bears
2 a significant relation to respondent's fitness
3 or capacity as a real estate licensee; or
4 b. The receipt of evidence that respondent has
5 violated provisions of the California Real
6 Estate Law, the Subdivided Lands Law,
7 regulations of the Real Estate Commissioner
8 or conditions attaching to this restricted
9 license.

10 2. Respondent shall not be eligible to apply for the
11 issuance of an unrestricted real estate license nor
12 the removal of any of the conditions, limitations
13 or restrictions attaching to the restricted license
14 until one year has elapsed from the date of
15 issuance of the restricted license to respondent.

16 3. With the application for license, or with the
17 application for transfer to a new employing broker,
18 respondent shall submit a statement signed by the
19 prospective employing broker on a form approved by
20 the Department of Real Estate wherein the
21 employing broker shall certify as follows:

22 a. That broker has read the Statement of Issues
23 which is the basis for the issuance of
24 the restricted license; and

25 b. That broker will carefully review all trans-
26 action documents prepared by the restricted
27 licensee and otherwise exercise close

1 supervision over the licensee's performance
2 of acts for which a license is required.

3 DATED this 7th day of January, 1986.

4
5
6 X Lan Thai
Respondent, LAN XUAN TRAN THAI

7 I have read the Statement of Issues filed herein and
8 the foregoing Stipulation and Waiver signed by respondent. I am
9 satisfied that the hearing for the purpose of requiring further
10 proof as to the honesty and truthfulness of respondent need not
11 be called and that it will not be inimical to the public interest
12 to issue a restricted real estate salesperson license to
13 respondent.

14 Therefore, IT IS HEREBY ORDERED that a restricted
15 real estate salesperson license be issued to respondent
16 LAN XUAN TRAN THAI if respondent has otherwise
17 fulfilled all of the statutory requirements for licensure. The
18 restricted license shall be limited, conditioned and restricted
19 as specified in the foregoing Stipulation and Waiver

20 DATED this 27th day of January, 1986.

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22 
23 JAMES A. EDMONDS, JR.
24 Real Estate Commissioner
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1 MARILYN L. MOSHER, Counsel
2 Department of Real Estate
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4 Los Angeles, California 90012
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8 (213) 620-4790

FILED
DEC 30 1985

DEPARTMENT OF REAL ESTATE
K. Mederkeld

9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

* * * *

11 In the Matter of the Application of) No. H-514 SA
12 LAN XUAN TRAN THAI aka)
13 Lan Xuan Tran,) STATEMENT OF ISSUES
14 Respondent.)

15 The Real Estate Commissioner, in conformity with Section
16 10152, Division 4, Business and Professions Code of the State of
17 California, requires further proof of the honesty and truthfulness
18 of LAN XUAN TRAN THAI aka Lan Xuan Tran (hereinafter respondent)
19 in connection with her application for a real estate salesperson
20 license, filed on August 16, 1985, and, in relation thereto, will
21 consider the following:

22 I

23 On or about November 14, 1983, in the Municipal Court
24 of Orange County Harbor Judicial District, County of Orange, State
25 of California, respondent was convicted of the crime of violating
26 Penal Code Section 488 (Petty Theft), a crime involving moral
27 turpitude.

II

The crime of which respondent was convicted bears a substantial relationship to the qualifications, functions, or duties of a real estate licensee.

III

Respondent's conviction, as alleged above, is grounds for denying her application for a real estate license under Sections 480 and 10177(b) of the Business and Professions Code of the State of California.

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 Government Code.

Dated at Santa Ana, California
this 30th day of December, 1985.

THOMAS MC CRADY
Deputy Real Estate Commissioner

cc: Lan Xuan Tran Thai
Ty Marshall
Sacto.
RC