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FILED

JUL - 9 2014

BUREAU OF REAL ESTATE

By K. Contreras

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
)
PIDA KONGPHOUTHONE,)
)
Respondent.)
_____)

No. H-4403 SD

ORDER VACATING ORDER AND

AMENDED ORDER SUSPENDING REAL ESTATE BROKER LICENSE

On May 14, 2014, the Real Estate Commissioner suspended Respondent's real estate broker license for failing to comply with a condition in a Stipulation and Agreement in Settlement and Order (the Stipulation), which was effective as of September 9, 2013.

The suspension was imposed because Respondent failed to pay for the Commissioner's reasonable cost of an audit (which led to disciplinary action against Respondent's real estate broker license) in the amount of \$5,270.00 within sixty days of receiving an invoice from the Commissioner detailing the activities involved in performing the audit. On September 27, 2013, an invoice was mailed by certified mail to Respondent at his main office and mailing address on the Bureau's records. Respondent has made only partial payment of \$750.00 on November 21, 2013. The balance remaining due is \$4,520.00.

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The Commissioner has determined that Respondent has failed to satisfy the condition described above, and as such, that Respondent is in violation of Sections 10148(c) of the Business & Professions Code.

Respondent requested a hearing before an Administrative Law Judge to challenge the suspension. The hearing was held in San Diego, at the Office of Administrative Hearings, on July 8, 2014. After discussion among the Administrative Law Judge, Respondent, and Counsel for the Bureau, Counsel for the Bureau, on behalf of the Commissioner, stipulated to vacate the Order and Amended Order Suspending Real Estate Broker License, which was effective on May 14, 2014, and allow Respondent an additional sixty (60) days to pay the balance of \$4,520.00 as agreed in the Stipulation. If payment in the amount of \$4,520.00 is not received on or before September 6, 2014, the real estate broker license issued to Respondent will be automatically suspended until the amount due is paid in full.

NOW, THEREFORE, IT IS ORDERED that the Order and Amended Order Suspending Real Estate Broker License in case number H-4403 SD, which was effective on May 14, 2014, is hereby vacated.

IT IS FURTHER ORDERED that Respondent pay the remaining balance due of \$4,520.00 for the cost of the initial audit in case number H-4403 SD within sixty (60) days of July 8, 2014, which is September 6, 2014. If Respondent fails to pay the amount due in full on or before September 6, 2014, his real estate broker license shall be automatically suspended until the balance is paid in full.

This Order shall be effective immediately.

DATED: July 9, 2014

REAL ESTATE COMMISSIONER


