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FILED

MAY 13 2008

DEPARTMENT OF REAL ESTATE

By K. Mac

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of	)	No. H-10271 SF
DINH QUOC NGUYEN,	)	
Respondent.	)	

ORDER DENYING APPLICATION FOR A REAL ESTATE LICENSE

The Real Estate Commissioner, in conformity with Section 10152, Division 4, Business and Professions Code of the State of California, required further proof of the honesty and truthfulness of DINH QUOC NGUYEN (hereinafter "Respondent"), in connection with Respondent's application for a real estate broker license filed on or about May 16, 2007, and in relation thereto, filed a Statement of Issues on December 18, 2007. Said Statement of Issues was properly served on Respondent on or about December 18, 2007

On January 14, 2008, a Notice of Defense having been filed herein within the time prescribed by Section 11506 of the

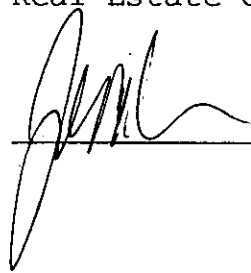
1 Government Code, the matter was set for hearing at 9:00 AM,
2 March 28, 2008, in the Office of Administrative Hearings, 1515
3 Clay Street, Suite 206, Oakland, California. On January 29, 2008,
4 a Notice of Hearing stating the date, time and location of the
5 hearing was served on Respondent by first class mail. Respondent
6 filed to appear for hearing on March 28, 2008, before the Hon.
7 Diane Schneider, Administrative Law Judge.

8 On March 28, 2008, after 9:00 AM, the matter was taken
9 off calendar and the file returned to the Department of Real
10 Estate for further action. As of this date, Respondent failed to
11 establish that he is entitled to the license sought.

12 IT IS THEREFORE ORDERED, pursuant to the authority
13 granted under Section 11520 of the Government Code of the State
14 of California, that the application of DINH QUOC NGUYEN for a
15 real estate broker license is hereby denied.

16 This Order shall be effective immediately.

17
18 DATED: 2/30/08

19
20 JEFF DAVI
21 Real Estate Commissioner
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1 MICHAEL B. RICH, Counsel
State Bar No. 84257
2 Department of Real Estate
P.O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

FILED

DEC 18 2007

DEPARTMENT OF REAL ESTATE

By K. Mar

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12) H-10271 SF
13)
14) STATEMENT OF ISSUES
15 DINH QUOC NGUYEN,)
16)
17)
18 Respondent.)
19)
20)
21)

22 The Complainant, CHARLES W. KOENIG, a Deputy Real
23 Estate Commissioner of the State of California, for Statement of
24 Issues against DINH QUOC NGUYEN (hereinafter "Respondent"), is
25 informed and alleges as follows:

26 I

27 Respondent made application to the Department of Real
Estate of the State of California for a real estate broker
license on or about May 16, 2007.

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II

Complainant, CHARLES W. KOENIG, a Deputy Real Estate Commissioner of the State of California, makes this Statement of Issues in his official capacity and not otherwise.

III

On or about June 16, 1992, in the Municipal Court, County of Santa Clara, State of California, in case number C9281732, Respondent was convicted of violating Section 496 of the California Penal Code (Knowingly receiving stolen property, to wit: an automobile), a misdemeanor pursuant to Section 17(b) of the California Penal Code and a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

IV

On or about April 7, 1994, in the Superior Court, County of Santa Clara, State of California, in case number C9475824, Respondent was convicted of violating Section 10851(a) of the California Vehicle Code (Take or drive a vehicle without owner's consent with intent to deprive owner of title or possession), a felony and a crime involving moral turpitude which bears a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions, or duties of a real estate licensee.

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1 V

2 The crimes of which Respondent was convicted, as
3 alleged in Paragraphs III and IV, inclusive, above, individually
4 and collectively, constitutes cause for denial of Respondent's
5 application for a real estate license under Sections 480(a) and
6 10177(b) of the California Business and Professions Code.

7 PRIOR PROCEEDINGS

8 VI

9 Respondent made application to the Department of Real
10 Estate of the State of California for a real estate salesperson
11 license on or about January 11, 2000, with the knowledge and
12 understanding that any license issued as a result of said
13 application would be subject to the conditions of Section
14 10153.4 of the Business and Professions Code.

15 XI

16 Effective September 20, 2000, in Case No. H-7837 SF
17 and OAH Case No. N-2000060233, before the Department of Real
18 Estate, the Real Estate Commissioner denied the January 11, 2000
19 real estate salesperson license application of Respondent DINH
20 QUOC NGUYEN, for violation of Section 480(a) and 10177 (b) of
21 the Code, but granted the right to a restricted conditional real
22 estate salesperson license, on terms, conditions, and
23 restrictions set forth in the Order.

24 XII

25 Respondent made application to the Department of Real
26 Estate of the State of California for a real estate broker
27 license on or about May 20, 2002.

XIII

Effective May 16, 2003, in Case No. H-8373 SF, before the Department of Real Estate, the Real Estate Commissioner denied the May 20, 2002, real estate broker license application of Respondent DINH QUOC NGUYEN, for violation of Section 480(a) and 10177 (b) of the Code.

WHEREFORE, the Complainant prays that the above-entitled matter be set for hearing and, upon proof of the charges contained herein, that the Commissioner refuse to authorize the issuance of, and deny the issuance of, a real estate salesperson license to Respondent, and for such other and further relief as may be proper under other provisions of law.


CHARLES W. KOENIG
Deputy Real Estate Commissioner

Dated at Sacramento, California,
this 13th day of December, 2007.