

FILED

DEC - 2 2008

DEPARTMENT OF REAL ESTATE

By K. Max

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of
THANH NGOC NGUYEN,
Respondent.

No. H-10464 SF

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 November 13, 2008, and the findings of fact set forth herein, which are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

This Decision revokes a real estate license on grounds that another license was revoked for acts that would be grounds for revocation of a California real estate license.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

I

On June 20, 2008, E. J. Haberer, II, made the Accusation in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on June 24, 2008.

On November 13, 2008, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

II

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate salesperson.

III

On or about March 24, 2008, In the Matter of the Accusation of the CALIFORNIA CORPORATIONS COMMISSIONER, vs. THANH TOM NGUYEN dba HILLTOP FINANCIAL MORTGAGE and THANH TOM NGUYEN NGOC aka THANH NGOC NGUYEN, an individual, Respondent's finance lender and broker license were revoked pursuant to Financial Code Section 22714, in conjunction with Financial Code Section 22156 and 22701.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 10148, 10177(d) and 10177(f).

II

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

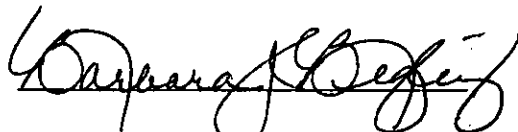
ORDER

All licenses and licensing rights of respondent THANH NGOC NGUYEN, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

~~DEC 23 2008~~ This Decision shall become effective at 12 o'clock noon on _____

DATED: 11-24-08

JEFF DAVI
Real Estate Commissioner



- 2 - BY: Barbara J. Bigby
- Chief Deputy Commissioner

1 RICHARD K. UNO, Counsel
2 State Bar No. 98275
3 Department of Real Estate
4 P.O. Box 187007
5 Sacramento, CA 95818-7007
6 Telephone: (916) 227-2380

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DEPARTMENT OF REAL ESTATE

By K. Mat

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11
12 In the Matter of the Accusation of
13 THANH NGOC NGUYEN,
14 Respondent.

No. H-10464 SF

DEFAULT ORDER

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

19
20 IT IS SO ORDERED November 13, 2008.

21 JEFF DAVI
22 Real Estate Commissioner

23 By:

Charles W. Koenig
24 CHARLES W. KOENIG
25 Northern Regional Manager
26
27

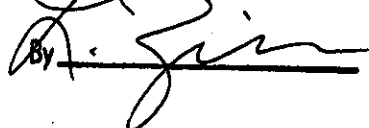
1 DAVID B. SEALS, Counsel (SBN 69378)
Department of Real Estate
2 P. O. Box 187007
Sacramento, CA 95818-7007

FILED

JUN 24 2008

3 Telephone: (916) 227-0789
4 -or- (916) 227-0792 (Direct)

DEPARTMENT OF REAL ESTATE

By 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-10464 SF
12 THANH NGOC NGUYEN,) ACCUSATION
13 Respondent.)
14

15 The Complainant, E. J. Haberer II, a Deputy Real
16 Estate Commissioner of the State of California, for cause of
17 Accusation against Respondent THANH NGOC NGUYEN (hereinafter
18 "Respondent"), is informed and alleges as follows:

19 I

20 The Complainant makes this Accusation in his official
21 capacity.

22 II

23 At all times herein mentioned, Respondent was and now
24 is licensed and/or has license rights under the Real Estate Law
25 (Part 1 of Division 4 of the Business and Professions Code)
26 (herein "the Code") as a real estate broker and as the
27 designated officer of Hilltop Financial Mortgage, Inc.


1 III

2 Effective March 24, 2008 In the Matter of the
3 Accusation of The CALIFORNIA COPORATIONS COMMISSIONER, vs. THANH
4 TOM NGUYEN dba HILLTOP FINANCIAL MORTGAGE and THANH TOM NGUYEN
5 NGOC aka THANH NGOC NGUYEN, an individual, before the Department
6 of Corporations of the State of California, Respondent's finance
7 lender and broker licenses were revoked pursuant to Financial
8 Code Section 22714, in conjunction with Financial Code Sections
9 22156 and 22701.

10 IV

11 The revocation of Respondent's finance lender and
12 broker licenses as discussed in Paragraph III, above,
13 constitutes cause for revocation of Respondent's real estate
14 broker license pursuant to Section 10177(f) of the Code, in
15 conjunction with Sections 10148 and 10177(d) of the Code.

16 WHEREFORE, Complainant prays that a hearing be
17 conducted on the allegations of this Accusation and that upon
18 proof thereof a decision be rendered imposing disciplinary
19 action against all licenses and license rights of Respondent
20 under the Real Estate Law (Part 1 of Division 4 of the Business
21 and Professions Code) and for such other and further relief as
22 may be proper under other applicable provisions of law.

23
24 
25 E. J. HABERER II
Deputy Real Estate Commissioner

26 Dated at Oakland, California,
27 this 20th day of June, 2008.