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FILED

MAR 28 2011

DEPARTMENT OF REAL ESTATE

By K. MA

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	NO. H-10933 SF
THE LENDING DEPOT, INC.	)	
and KWOK LEUNG CHAN,	)	OAH NO. 2010060901
	)	
Respondents.	)	
	)	

ORDER DENYING RECONSIDERATION

On January 14, 2011, a Decision was rendered in the above-entitled matter to become effective February 22, 2011 (herein "the Decision").

On February 7, 2011, Respondents requested a stay for the purpose of filing a petition for reconsideration of the Decision, and on February 9, 2011 the Real Estate Commissioner filed an "Order Staying Effective Date" which stayed the effective date of the Decision until 12:00 noon on March 24, 2011.

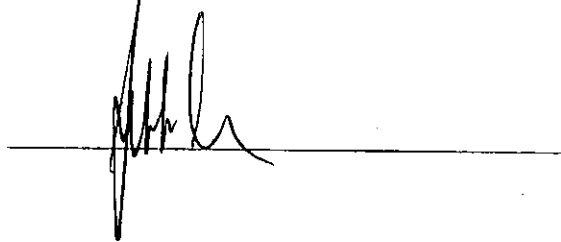
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I have given due consideration to this matter, and I find no good cause to reconsider the Decision. Reconsideration is hereby denied.

IT IS HEREBY ORDERED 3/22/2011

JEFF DAVI  
Real Estate Commissioner



A handwritten signature in black ink, appearing to read 'JEFF DAVI', is written over a horizontal line.

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FILED

FEB - 9 2011

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of	)	
	)	No. H-10933 SF
THE LENDING DEPOT, INC.	)	
and KWOK LEUNG CHAN,	)	
	)	
Respondent.	)	

ORDER STAYING EFFECTIVE DATE

On January 14, 2011, a Decision was rendered in the above-entitled matter to become effective February 22, 2011.

On February 7, 2011, Respondent petitioned for reconsideration of the Decision of January 14, 2011.

IT IS HEREBY ORDERED that the effective date of the Decision is stayed for a period of thirty (30) days. The Decision of January 14, 2011, shall become effective at 12 o'clock noon on March 24, 2011.

DATED: 2/9, 2011

JEFF DAVI  
Real Estate Commissioner

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

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-2380

FILED

JAN 31 2011

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 Accusation of	)	DRE No. H-10933 SF
	)	
12 THE LENDING DEPOT, INC.	)	<u>STIPULATION AND AGREEMENT</u>
13 and KWOK LEUNG CHAN,	)	<u>IN SETTLEMENT AND ORDER</u>
	)	
14 Respondents.	)	
	)	

16 It is hereby stipulated by and between THE LENDING DEPOT, INC., (TLD),  
17 KWOK LEUNG CHAN, (CHAN) and their attorney, Kathleen Morgan, and the Complainant,  
18 acting by and through Richard K. Uno, Counsel for the Department of Real Estate; as follows for  
19 the purpose of settling and disposing of the Accusation filed on May 23, 2010, in this matter:

20 1. All issues which were to be contested and all evidence which was to be  
21 presented by Complainant and Respondents at a formal hearing on the Accusation, which hearing  
22 was to be held in accordance with the provisions of the Administrative Procedure Act ("APA"),  
23 shall instead and in place thereof be submitted solely on the basis of the provisions of this  
24 Stipulation and Agreement In Settlement and Order.

25 2. Respondents have received, read and understand the Statement to Respondent,  
26 the Discovery Provisions of the APA and the Accusation filed by the Department of Real Estate  
27 in this proceeding.

1                   3. On June 7, 2010, Respondents filed a Notice of Defense pursuant to Section  
2 11505 of the Government Code for the purpose of requesting a hearing on the allegations in the  
3 Accusation. Respondents hereby freely and voluntarily withdraw said Notice of Defense.  
4 Respondents acknowledges that they understand that by withdrawing said Notice of Defense they  
5 will thereby waive their right to require the Commissioner to prove the allegations in the  
6 Accusation at a contested hearing held in accordance with the provisions of the APA and that  
7 they will waive other rights afforded to them in connection with the hearing such as the right to  
8 present evidence in defense of the allegations in the Accusation and the right to cross-examine  
9 witnesses.

10                   4. Respondents, pursuant to the limitations set forth below, hereby admit that the  
11 factual allegations or findings of fact as set forth in the Accusation filed in this proceeding are  
12 true and correct and the Real Estate Commissioner shall not be required to provide further  
13 evidence of such allegations.

14                   5. It is understood by the parties that the Real Estate Commissioner may adopt  
15 the Stipulation and Agreement In Settlement and Order as his Decision in this matter, thereby  
16 imposing the penalty and sanctions on Respondent's real estate license and license rights as set  
17 forth in the below "Order". In the event that the Commissioner in his discretion does not adopt  
18 the Stipulation and Agreement In Settlement and Order, it shall be void and of no effect, and  
19 Respondent shall retain the right to a hearing and proceeding on the Accusation under all the  
20 provisions of the APA and shall not be bound by any admission or waiver made herein.

21                   6. The Order or any subsequent Order of the Real Estate Commissioner made  
22 pursuant to this Stipulation and Agreement In Settlement and Order shall not constitute an  
23 estoppel, merger or bar to any further administrative or civil proceedings by the Department of  
24 Real Estate with respect to any matters which were not specifically alleged to be causes for  
25 accusation in this proceeding.

26                   7. CHAN understands that by agreeing to this Stipulation and Agreement In  
27 Settlement and Order, CHAN agrees to pay, pursuant to Section 10148 of the Business and

1 Professions Code, the cost of the audits which led to this disciplinary action. The amount of said  
2 cost is \$4,327.16.

3 8. CHAN has received, read and understands the "Notice Concerning Costs of  
4 Subsequent Audits". Respondent understands that by agreeing to this Stipulation and Agreement  
5 in Settlement and Order, the findings set forth below in the DETERMINATION OF ISSUES  
6 become final, and that the Commissioner may charge Respondent for the cost of any audit  
7 conducted pursuant to Section 10148 of the Business and Professions Code to determine if the  
8 violations have been corrected. The maximum costs of said audits will not exceed \$4,327.16.

9 DETERMINATION OF ISSUES

10 By reason of the foregoing stipulations, admissions and waivers, and solely for  
11 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and  
12 agreed that the acts and/or omissions of Respondents, as described in the Accusation, constitute  
13 grounds for the suspension or revocation of the licenses and license rights of Respondent the  
14 LENDING DEPOT, INC. under the provisions of Sections 10176(a), 10176(i), 10177(d),  
15 10236.4 and 10240 of the Business and Professions Code (the Code), and constitute grounds for  
16 the suspension or revocation of the licenses and license rights of Respondent KWOK LEUNG  
17 CHAN under the provisions of Sections 2725, 2731 and 2831(A)(6) of the Regulations and  
18 Sections 10137, 10148, 10159.5, 10176(a), 10176(i), 10177(d), 10177(h) and 10240 of the Code.

19 ORDER

20 KWOK LEUNG CHAN

21 1. All licenses and licensing rights of respondent KWOK LEUNG CHAN, under  
22 the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license  
23 shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code.  
24 if Respondent makes application therefore and pays to the Department of Real Estate the  
25 appropriate fee for the restricted license within 90 days from the effective date of this Decision.

26 The restricted license issued to Respondent shall be subject to all of the provisions of Section

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1 10156.7 of the Business and Professions Code and to the following limitations, conditions and  
2 restrictions imposed under authority of Section 10156.6 of that Code:

3 a. The license shall not confer any property right in the privileges to be exercised  
4 and the Real Estate Commissioner may by appropriate order suspend, prior to a hearing, the right  
5 to exercise any privileges granted under this restricted license in the event of:

6 (1) The conviction of CHAN (including a plea of nolo contendere) of  
7 a crime which is substantially related to Respondent's fitness or  
8 capacity as a real-estate licensee; or

9 (2) The receipt of evidence that CHAN has violated provisions of the  
10 California Real Estate Law, the Subdivided Lands Law,  
11 Regulations of the Real Estate Commissioner, or conditions  
12 attaching to this restricted license.

13 b. CHAN shall not be eligible to apply for the issuance of an unrestricted real  
14 estate license nor the removal of any of the conditions, limitations, or restrictions attaching to the  
15 restricted license until two (2) years have elapsed from the date of issuance of the restricted  
16 license to CHAN.

17 c. With the application for license, or with the application for transfer to a new  
18 employing broker, CHAN shall submit a statement signed by the prospective employing  
19 real estate broker on a form approved by the Department which shall certify as follows:

20 (1) That the employing broker has read the Decision which is the  
21 basis for the issuance of the restricted license; and

22 (2) That the employing broker will carefully review all transaction  
23 documents prepared by the restricted licensee and otherwise  
24 exercise close supervision over the licensee's performance of acts  
25 for which a license is required.

26 d. CHAN shall, within nine (9) months from the effective date of this Order,  
27 present evidence satisfactory to the Real Estate Commissioner that CHAN has, since the most

1 recent issuance of an original or renewal real estate license, taken and successfully completed the  
2 continuing education requirements as specified in subdivision (a) of Section 10170.5 of the  
3 Business and Professions Code. If CHAN fails to satisfy this condition, the Commissioner may  
4 order the suspension of the restricted license until CHAN presents such evidence. The  
5 Commissioner shall afford CHAN the opportunity for hearing pursuant to the Administrative  
6 Procedure Act to present such evidence.

7 e. CHAN shall, within six (6) months from the effective date of this Decision,  
8 take and pass the Professional Responsibility Examination administered by the Department  
9 including the payment of the appropriate examination fee. If CHAN fails to satisfy this  
10 condition, the Commissioner may order suspension of CHAN's license until CHAN passes the  
11 examination.

12 2. Pursuant to Section 10148 of the Business and Professions Code, CHAN shall  
13 pay the Commissioner's reasonable cost for: a) The audit which led to this disciplinary action  
14 and b) a subsequent audit to determine if Respondent has corrected the trust fund violation(s)  
15 found in the paragraph entitled "Determination of Issues". In calculating the amount of the  
16 Commissioner's reasonable cost, the commissioner may use the estimated average hourly salary  
17 for all persons performing audits of real estate brokers, and shall include an allocation for travel  
18 costs, including mileage, time to and from the auditor's place of work and per diem.  
19 Respondent shall pay such cost within 60 days of receiving an invoice from the Commissioner  
20 detailing the activities performed during the audit and the amount of time spent performing  
21 those activities. The Commissioner may, in his discretion, vacate and set aside the stay order, if  
22 payment is not timely made as provided for herein, or as provided for in a subsequent agreement  
23 between the Respondent and the Commissioner. The vacation and the set aside of the stay shall  
24 remain in effect until payment is made in full, or until CHAN enters into an agreement  
25 satisfactory to the Commissioner to provide for payment. Should no order vacating the stay be  
26 issued, either in accordance with this condition or condition "3", the stay imposed herein shall  
27 become permanent.



1 THE LENDING DEPOT

2 1. The corporate real estate broker license and license rights of Respondent

3 THE LENDING DEPOT, INC. (TLD), under the Real Estate Law are suspended for a period of  
4 sixty (60) days from the effective date of this Order; provided, however, that if TLD petitions,  
5 thirty (30) days of said suspension shall be stayed upon condition that:

6 a. TLD pays a monetary penalty pursuant to Section 10175.2 of the Business and  
7 Professions Code at the rate of \$100.00 per day for thirty (30) days of the suspension for a total  
8 monetary penalty of \$3,000.00.

9 b. Said payment shall be in the form of a cashier's check or certified check made  
10 payable to the Recovery Account of the Real Estate Fund. Said check must be received by the  
11 Department prior to the effective date of the Decision in this matter.

12 c. No further cause for disciplinary action against the real estate license of TLD  
13 occurs within one year from the effective date of the Decision in this matter.

14 d. If TLD fails to pay the monetary penalty in accordance with the terms and  
15 conditions of the Decision, the Commissioner may, without a hearing, order the immediate  
16 execution of all or any part of the stayed suspension in which event the TLD shall not be entitled  
17 to any repayment nor credit, prorated or otherwise, for money paid to the Department under the  
18 terms of this Decision.

19 e. If TLD pays the monetary penalty, and if no further cause for disciplinary  
20 action against the real estate license of TLD occurs within one (1) year from the effective date of  
21 the Decision, the stay hereby granted shall become permanent.

22 2. The remaining thirty (30) days of said suspension shall be stayed for one (1)  
23 year upon the following terms and conditions:

24 a. TLD shall obey all laws, rules and regulations governing the rights, duties and  
25 responsibilities of a real estate licensee in the State of California; and;

26 b. That no final subsequent determination be made, after hearing or upon  
27 stipulation, that cause for disciplinary action occurred within two (2) years from

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the effective date of this Order. Should such a determination be made, the Commissioner may, in his discretion, vacate and set aside the stay order and reimpose all or a portion of the stayed suspension.

1/21/11  
DATED

*Richard K. Uno*  
RICHARD K. UNO, Counsel  
DEPARTMENT OF REAL ESTATE

\*\*\*

I have read the Stipulation and Agreement in Settlement and Order and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

12/21/2010  
DATED

*Kwok Leung Chan*  
KWOK LEUNG CHAN  
Respondent

For Respondent THE LENDING DEPOT, INC.:

12/21/2010  
DATED

*Kwok Leung Chan*  
by KWOK LEUNG CHAN  
Designated Officer

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*I have reviewed this Stipulation and Agreement as to form and content and have advised my clients accordingly.*

12/21/2010  
DATED

*Kath P. Morgan*  
KATHLEEN MORGAN  
Attorney For Respondent

\*\*\*

The foregoing Stipulation and Agreement In Settlement and Order is hereby adopted by the Real Estate Commissioner as his Decision and Order and shall become effective at 12 o'clock noon on **FEB 22 2011**

IT IS SO ORDERED 1/14/11

JEFF DAVI  
Real Estate Commissioner

*Barbara J. Bigby*  
BY: Barbara J. Bigby  
Chief Deputy Commissioner

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RICHARD K. UNO, Counsel (SBN 98275)  
Department of Real Estate  
P. O. Box 187007  
Sacramento, CA 95818-7007  
  
Telephone: (916) 227-2380

**FILED**  
MAY 23 2010  
DEPARTMENT OF REAL ESTATE  
By *L Frost*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of	)	
	)	NO. H-10933 SF
THE LENDING DEPOT, INC. and	)	
KWOK LEUNG CHAN,	)	
	)	<u>ACCUSATION</u>
	)	
Respondents.	)	
	)	

The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of the State of California, for Accusation against Respondents THE LENDING DEPOT, INC. (TLD) and KWOK LEUNG CHAN (CHAN), is informed and alleges as follows:

1

The Complainant makes this Accusation against Respondents in his official capacity.

2

CHAN 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 (the Code) as a real estate broker dba EKC Realty and dba LD Home Realty & Mortgage.

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TLD is presently licensed by the Department of Real Estate (the Department) as a corporate real estate broker.

4

At all times herein mentioned, CHAN was licensed by the Department as the designated broker/officer of TLD. As the designated broker/officer, CHAN was responsible, pursuant to Section 10159.2 of the Code, for the supervision of the activities of the officers, agents, real estate licensees and employees of TLD for which a real estate license is required.

5

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(a), (b) and (d) of the Code, including the operation and conduct of a residential resale brokerage wherein Respondents bought, sold, or offered to buy or sell, solicited or obtained listings of, and negotiated the purchase, sale or exchange of real property or business opportunities, the operation and conduct of a property management business with the public wherein, on behalf of others, Respondents managed property for various property owners and sold or offered to sell, bought or offered to buy real property or business opportunities, and the operation of a mortgage broker business, where Respondents negotiated loans secured directly or indirectly by real property or a business opportunity, all for or in expectation of compensation.

6

Whenever reference is made in an allegation in this Accusation to an act or omission of TLD, such allegation shall be deemed to mean that the officers, directors, employees, agents and real estate licensees employed by or associated with TLD committed such act or omission while engaged in furtherance of the business or operations of TLD and while acting within the course and scope of their corporate authority and employment.

///

1 FIRST CAUSE OF ACTION

2 Audit No. OK 08-0102 (MLB)

3 7

4 On March 13, 2009, an audit was conducted at TLD's main office located at 475  
5 El Camino Real in Millbrae, California, where the auditor examined records for the period of  
6 January 1, 2008 through December 31, 2008 (the audit period).

7 8

8 The following facts were ascertained by the audit for the period referred to  
9 above:

10 a) TLD did not maintain a trust account because credit and appraisal fees were  
11 not collected in advance;

12 b) TLD either failed to provide or provided an incomplete Mortgage Loan  
13 Disclosure Statement (MLDS) to those borrowers set forth below, in violation of Section  
14 10240 of the Code;

<u>Borrower</u>	<u>Address</u>	<u>Date Closed</u>
16 Carlos Vides	21 Del Paso Drive, S. San Francisco	03/11/08
17 Carlos Vides	1155 Brunswick St., Daly City	03/11/08
18 Betty Lau	21059 Wilbeam Ave.#3, Castro Valley	05/08/08
19 Yi Man Chan	74 E. Moltke St., Daly City	08/05/08
Kam V. Thai	5178 Silver Birch Dr., Castro Valley	10/29/08

20 c) TLD failed to disclose Yield Spread Premiums on the MLDS to those  
21 borrowers set forth below, in violation of Section 10176(g) of the Code;

<u>Borrower</u>	<u>Address</u>	<u>YSP Rec'd</u>
23 Betty Lau	21059 Wilbeam Ave. #3, Castro Valley	\$5,281.65
24 Yi Man Chan	74 E. Moltke St., Daly City	\$3,281.79
Kam V. Thai	5178 Silver Birch Dr., Castro Valley	\$3,801.60

25 d) TLD and Jean Sin, TLD's representative, both failed to disclose their license  
26 numbers on the MLDSs for the two Vides loans and TLD and Eric Chan, TLD's  
27 ///

1 representative, both failed to disclose their license numbers on the Thai loan, such  
2 failure to disclose is in violation of Section 10236.4 of the Code and,

3 e) On or about January 13, 2008, TLD prepared and submitted loan applications  
4 (basic information set forth below), to refinance two properties, owned by Carlos Vides  
5 and Milagros Vides (the Vides), commonly known as 21 Del Paso Dr., South San  
6 Francisco and 1155 Brunswick St., Daly City. On both loan applications the Vides  
7 represented that the property would be their primary residence. On May 15, 2007, a  
8 tenant, Carlos Fernandez signed a lease to rent 1155 Brunswick for the period of June 1,  
9 2007 to June 30, 2008. The inconsistencies set forth in this Paragraph, between the two  
10 loan applications set forth below constitute misrepresentation in violation of Section  
11 10176(a) and (i) of the Code.

12	<u>Property:</u>	21 Del Paso Dr.	1155 Brunswick St
13	<u>Borrower Job Title</u>	Sr. Med. Serv. Asst.	Med. Service Asst.
14	<u>Co-Borrower Job Title</u>	Restaurant Manager	Night Shift Waitress
15	<u>Total Monthly Income</u>	\$11,100.00	\$9,800.00
16	<u>Current Housing Expenses</u>	\$3,150.00	\$2,549.00
17	<u>Proposed Housing Expenses</u>	\$3,149.13	\$2,810.13

18 9

19 The acts and/or omissions of TLD as alleged above violate Sections 10176(a), (i)  
20 and (g), 10236.4 and 10240 of the Code and are grounds for discipline under Sections 10176(a),  
21 (i) and (g) and 10177(d) of the Code.

22 SECOND CAUSE OF ACTION

23 Audit Nos. OK 08-074 (PM) and OK 08-0101 (OA)

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25 Complainant refers to Paragraphs 1-10, above, and incorporates the same herein,  
26 by reference.

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2 On March 26, 2009, an audit was conducted at CHANS's main office located at  
3 475 El Camino Real in Millbrae, California, where the auditor examined records for the period  
4 of January 1, 2008 through December 31, 2008 (the audit period).

5  
6 The following facts were ascertained by the audit for the period referred to  
7 above:

- 8 (a) - CHAN did not maintain a trust account because for residential resale  
9 activities, earnest money deposits collected from buyers were made  
10 payable to the escrow company;
- 11 (b) CHAN failed to forward a security deposit of \$1,600.00 that he had  
12 collected from tenants on behalf of a property owner, Pat Vandebroek,  
13 in violation of Section 10176(i) of the Code;
- 14 (c) CHAN failed to maintain real estate records including the property  
15 management agreement, residential lease agreement, deposit receipts,  
16 canceled checks and other records regarding that real property known as  
17 22642 Templeton Street, as required by Section 10148 of the Code;
- 18 (d) CHAN failed to maintain a Record of Trust Funds Received-Not  
19 Deposited into Trust Account, as required by Section 2831(a) (6) of Title  
20 10, California Code of Regulations (Regulations) and,
- 21 (e) CHAN failed to collect an earnest money deposit at the time of  
22 submitting an offer for the purchase of 336 Miriam, on behalf of Alex  
23 Tang, in violation of Section 10176(a) of the Code

24  
25 The acts and/or omissions of CHAN as alleged above violate Section 2831(a)(6)  
26 of the Regulations and Sections 10148, 10176(a) and (i) and 10240 of the Code and are grounds  
27 for discipline under Sections 10176(a) and (i) and 10177(d) of the Code.



1 THIRD CAUSE OF ACTION

2 14

3 Complainant refers to Paragraphs 1 through 13, above, and incorporates them  
4 herein by reference.

5 15

6 At no time within the last three years did the Department license LISA TRINH  
7 aka MUOI TRINH (TRINH), either as a real estate broker or as a real estate salesperson.

8 16

9 Within the three year period prior to the filing of this Accusation, Respondent  
10 CHAN employed and compensated THRINH to perform the activities requiring a real estate  
11 license as alleged in Paragraph 5, above.

12 17

13 Within the last three years before the filing of this accusation, THRINH engaged  
14 in property management activities including leasing or renting, soliciting places for rent,  
15 soliciting prospective tenants, collecting rents from tenants and ordering repairs on properties  
16 owned by landlords on behalf of CHAN, including, but not limited to that certain real property  
17 known as 22642 Templeton Street, Hayward, California.

18 18

19 The facts alleged above constitute cause for the suspension or revocation of the  
20 licenses and license rights of Respondent CHAN under Section 10137 of the Code.

21 FOURTH CAUSE OF ACTION

22 19

23 Complainant refers to Paragraphs 1 through 18, above, and incorporates the same  
24 herein by reference.

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26 At no time within the last three years did the Department license the fictitious  
27 name Winton Management.

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Within the last three (3) years before the filing of this accusation, CHAN engaged in the property management activities described in Paragraph 5, above, under the fictitious name of Winton Management.

22

The facts alleged above violate Section 2731 of the Regulations and Section 10159.5 of the Code and are grounds for the suspension or revocation of the licenses and licensing rights of CHAN under Section 10177(d) of the Code.

FIFTH CAUSE OF ACTION

23

Complainant refers to Paragraphs 1 through 22, above, and incorporate them herein by reference.

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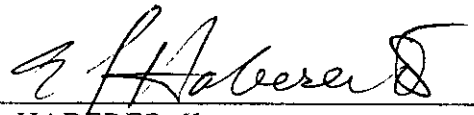
At all times herein above mentioned, CHAN, was responsible as the supervising broker for TLD, for the supervision and control of the activities conducted on behalf of TLD'S business by its employees. CHAN failed to exercise reasonable supervision and control over the property management activities of TLD. In particular, CHAN permitted, ratified and/ or caused the conduct described above, to occur, and failed to take reasonable steps, including but not limited to handling of trust funds, supervision of employees, and the implementation of policies, rules, and systems to ensure the compliance of the business with the Real Estate Law and the Regulations.

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The above acts and/or omission of CHAN violate Section 10159.2 of the Code and Section 2725 of the Regulations and constituted ground for disciplinary action under the provisions of Section 10177(d) and (h) of the Code.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof a decision be rendered imposing

1 disciplinary action against all licenses and license rights of Respondents under the Real Estate  
2 Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further  
3 relief as may be proper under other provisions of law.



E. J. HABERER, II  
Deputy Real Estate Commissioner

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7 Dated at Oakland, California,  
8 this 20th day of April, 2010  
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