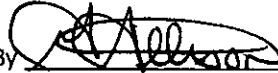


FILED

May 24, 2011

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)	
)	
JOHN A. BUI,)	DRE NO. H-10962 SF
)	
Respondent.)	

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 May 4, 2011, 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 of the conviction of a crime.

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 JOHN A. BUI (hereinafter "Respondent").

FINDINGS OF FACT

1

On April 20, 2010, 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, Notice of Defense and Discovery Provisions (APA) were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on July 15, 2010.

2

On May 4, 2011, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3

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 "the Code") as a real estate broker.

4

On or about March 5, 2010, in the United States District Court, Northern District of California, Case No. CR-09-00770-001-SI, Respondent was convicted of the following felonies, and crimes which bear a substantial relationship under Section 2910, Title 10, California Code of Regulations, to the qualifications, functions or duties of a real estate licensee:

- (a) 18 U.S.C. § 1349 (Wire Fraud Conspiracy);
- (b) 18 U.S.C. § 1519 (Destruction of Records in a Federal Investigation); and
- (c) 18 U.S.C. § 1512(b)(3) (Witness Tampering).

DETERMINATION OF ISSUES

1

Cause for disciplinary action against Respondent exists with reference to the conviction set out in Paragraph 4, above, pursuant to Sections 490 and 10177(b) of the Code.

2

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

2

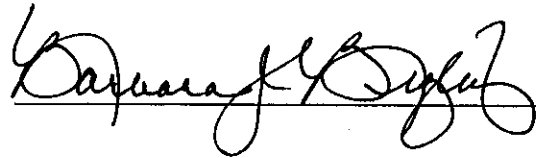
ORDER

All licenses and licensing rights of Respondent JOHN A. BUI, under the provisions of Part I of Division 4 of the Code are revoked.

This Decision shall become effective at 12 o'clock noon on JUN 13 2011, 2011.

DATED: 5/23, 2011.

BARBARA J. BIGBY
Real Estate Commissioner (Acting)

A handwritten signature in cursive script, appearing to read "Barbara J. Bigby", is written over a horizontal line.

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4
5 Telephone: (916) 227-0789
6
7

FILED
MAY - 4 2011

DEPARTMENT OF REAL ESTATE
By: 

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of)
13 JOHN A. BUI,) NO. H-10962 SF
14 Respondent.) DEFAULT ORDER

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

19 IT IS SO ORDERED MAY 4, 2011.

20
21 Real Estate Commissioner

22
23 By: 
24 Regional Manager
25
26
27

1 ANNETTE E. FERRANTE, Counsel (SBN 258842)
2 Department of Real Estate
3 P. O. Box 187007
4 Sacramento, CA 95818-7007
5 Telephone: (916) 227-0792

FILED

JUL 15 2010

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 ***

12 In the Matter of the Accusation of)
13 JOHN A. BUI,) NO. H-10962 SF
14 Respondent.) ACCUSATION
15 _____)

16 The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of the
17 State of California, for cause of Accusation against JOHN A. BUI, (hereinafter "Respondent"), is
18 informed and alleges as follows:

19 1

20 The Complainant makes this Accusation in his official capacity.

21 2

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

25 3

26 On or about March 5, 2010, in the United States District Court, Northern District
27 of California, Case No. CR-09-00770-001-SI, Respondent was convicted of the following

1 felonies, and crimes which bear a substantial relationship under Section 2910, Title 10,
2 California Code of Regulations, to the qualifications, functions or duties of a real estate licensee:

3 (a) 18 U.S.C. § 1349 (Wire Fraud Conspiracy);

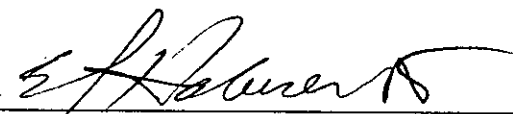
4 (b) 18 U.S.C. § 1519 (Destruction of Records in a Federal Investigation); and

5 (c) 18 U.S.C. § 1512(b)(3) (Witness Tampering).

6 4

7 The facts alleged in Paragraph 3, above, constitute cause under Sections 490
8 (Conviction of Crime) and 10177(b) (Conviction of Crime Substantially Related to
9 Qualifications, Functions or Duties of Real Estate Licensee) of the Code for suspension or
10 revocation of all licenses and license rights of Respondent under the Real Estate Law.

11 WHEREFORE, Complainant prays that a hearing be conducted on the allegations
12 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary
13 action against all licenses and license rights of Respondent under the Code, and for such other
14 and further relief as may be proper under the provisions of law.

15
16
17 
18 _____
19 E. J. HABERER, II
20 Deputy Real Estate Commissioner

21 Dated at Oakland, California,
22 this 20th day of April, 2010.