

**September 15, 2011**

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Department of Real Estate  
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DEPARTMENT OF REAL ESTATE

By 

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

|                                    |   |                   |
|------------------------------------|---|-------------------|
| In the Matter of the Accusation of | ) |                   |
|                                    | ) | No. H-11214 SF    |
| CAN NGOC NGUYEN,                   | ) |                   |
|                                    | ) | <u>ACCUSATION</u> |
| Respondent.                        | ) |                   |

The Complainant, E. J. HABERER, II, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against CAN NGOC NGUYEN, (Respondent), is informed and alleges as follows:

1

The Complainant makes this Accusation in his official capacity.

2

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

3

On or about April 26, 2011, in the Superior Court of the State of California, County of Santa Clara, Case No. CC 1081531, Respondent was convicted of two counts of violating Section 530.5 (Using Personal ID Without Authorization) and Section 484e (d)

1 (Acquiring Access Card Info. With Fraudulent Intent), of the California Penal Code, each a  
2 felony and a crime which bears a substantial relationship under Section 2910, Title 10,  
3 California Code of the Regulations (the Regulations), to the qualifications, functions or duties  
4 of a real estate licensee.

5 4

6 The facts alleged in Paragraph 3, above, constitute cause under Sections 490  
7 (Conviction of Substantially Related Crime) and 10177(b) (Further Grounds for Disciplinary  
8 Action- Conviction of Crime) of the Code for suspension or revocation of all licenses and  
9 license rights of Respondent under the Real Estate Law.

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

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16   
17 E. J. HABERER, II  
18 Deputy Real Estate Commissioner

19 Dated at Oakland, California,  
20 this 14<sup>th</sup> day of September, 2011.