

FILED

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By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

CHRISTOPHER C. HUANG
and JOSIE UGALDE MONGI,

Respondents.

No. H-11700 SF

ACCUSATION

The Complainant, ROBIN S. TANNER, a Deputy Real Estate Commissioner of the State of California for cause of Accusation against CHRISTOPHER C. HUANG (HUANG) and JOSIE UGALDE MONGI (MONGI), collectively referred to as Respondents, is informed and alleges as follows:

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The Complainant makes this Accusation in her official capacity.

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HUANG is presently licensed and/or has license rights with the Bureau of Real Estate (Bureau) under the Real Estate Law, Part I of Division 4 of the California Business and Professions Code (Code), as a real estate broker.

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2 MONGI is presently licensed and/or has license rights under the Real Estate Law,
3 as real estate salesperson, and, at all times mentioned herein, was licensed as a real estate
4 salesperson.

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6 At all times mentioned herein, Respondents engaged in the business of and acted
7 in the capacity of, or assumed to act as, a real estate broker in the State of California within the
8 meaning of Section 10131(d) of the Code, for or in expectation of compensation, by soliciting
9 borrowers and lenders and negotiating loans or collecting payments or performing services for
10 borrowers or lenders in connection with loans secured directly or collaterally by liens on real
11 property.

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13 As a follow-up to a previous audit, on or about February 20, 2014, the Bureau
14 held a Broker Office Survey (BOS) of HUANG's real estate business at MONGI's office
15 located at 500 E. Calaveras Blvd, Ste. 200, Milpitas, California.

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17 During the BOS, HUANG stated that he did business under the fictitious name of
18 Imperial Real Estate & Financial Services (Imperial). A fictitious business name statement for
19 Imperial had been filed by HUANG, which expired on March 3, 2011.

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21 During the BOS, HUANG admitted that MONGI ran the business due to
22 MONGI's 100% ownership of Imperial and that he failed to execute a broker-salesperson
23 agreement as required by Section 2725 of the Regulations. HUANG further admitted that he did
24 not supervise MONGI's licensed activities and did not supervise the daily operations of
25 Imperial. HUANG's failure to supervise violated Section 2725 of the Regulations and Section
26 10177(h) of the Code.

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During the BOS, MONGI admitted that she had been running Imperial by herself and engaged in real estate activities, which included activities relating to the purchase and sale of real property as set forth in Section 10131(a) of the Code. These broker activities by MONGI were in violation of Section 10130 (licensed activity) of the Code.

On or about March 3, 2014, pursuant to the Bureau's request, MONGI provided three (3) months of bank statements and account documents. The signature card revealed that MONGI, but not HUANG, was a signatory on the business account.

On or about March 20, 2014, a check of the Bureau's records revealed that Imperial had not corrected its address to Suite 200, some eighteen months after moving, as required by Section 10163 of the Code.

The facts alleged above are grounds for the suspension or revocation of the licenses and license rights of MONGI under Section 10130 of the Code.

The acts or omission of HUANG, as alleged above, violate Sections 2726 (broker-salesperson sales agreement) and Section 10163 (branch office) of the Code and are grounds for the suspension or revocation of the license and license rights of HUANG under Sections 10177(d) (willful disregard/violation of real estate law) and 10177(g) (negligence/incompetence of real estate licensee) of the Code.

SECOND CAUSE OF ACTION

Complainant refers to Paragraphs 1 through 12, above, and incorporates them herein by reference.

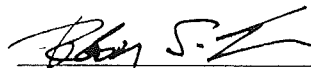
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At all times herein mentioned above, HUANG was responsible, as the employing broker of MONGI, for the supervision and control of the activities conducted by MONGI which required a real estate license. HUANG failed to exercise reasonable supervision and control of MONGI's activities in running Imperial. In particular, HUANG permitted, ratified and/or caused the conduct described in the First Cause of Action, above, to occur, and failed to take reasonable steps, including but not limited to the supervision of employees, and the implementation of policies, rules, procedures, and systems to ensure the compliance of his employees with the Real Estate Law and the Regulations.

The above acts and/or omissions of HUANG's violate Section 2725 of the Regulations and Section 10159.5 of the Code and are grounds for disciplinary action under the provisions of Sections 10177(d) and 10177(h) (broker supervision) of the Code.

Section 10106 of the Code provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the department, the commissioner may request the administrative law judge to direct a licensee found to have committed a violation of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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



ROBIN S. TANNER
Deputy Real Estate Commissioner

Dated at Oakland, California,
this 9th day of April, 2014.