

1 Department of Real Estate
2 107 South Broadway, Room 8107
3 Los Angeles, California 90012

4 Telephone: (213) 897-3937

FILED
MAY - 5 1998
DEPARTMENT OF REAL ESTATE

By C. B. J.

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 DEANNA SANCHEZ TAN,) NO. H-26825 LA
13 Respondent.) ORDER PURSUANT TO
14 STIPULATION

15 The Real Estate Commissioner held a hearing on this
16 Accusation on June 9, 1997, before the Office of Administrative
17 Hearings, for the purpose of proving the allegations therein.
18 Respondent was present at the hearing and participated therein.
19 Respondent had an opportunity to read and review the Proposed
20 Decision of the Administrative Law Judge.

21 Pursuant to Government Code Section 11517(c), the Real
22 Estate Commissioner adopted the Proposed Decision of the
23 Administrative Law Judge effective August 12, 1997. Pursuant to
24 Orders Staying Effective Date, the effective date became
25 September 22, 1997. On September 18, 1997, Respondent filed a
26 Petition for Writ of Mandate in the Superior Court of the State
27 of California, for the County of Los Angeles, Case Number

1 BS 047209. On September 18, 1997, the Los Angeles County
2 Superior Court issued its Stay Order under CCP Section 1094.5
3 and Order to Show Cause for Further Stay. That Order remains in
4 effect.

5 To resolve the pending Petition for Writ of Mandate
6 the parties entered into a Stipulation to Dismissal of Action
7 and Issuance of a Restricted License, a copy of which is
8 attached as Exhibit A. Pursuant to that Stipulation the
9 Commissioner enters the following Order:

10 WHEREFORE, THE FOLLOWING ORDER is hereby made:

11 The license and license rights of Respondent, under
12 the provisions of Part 1 of Division 4 of the Business and
13 Professions Code, are hereby revoked commencing on the effective
14 date of this Decision. However, Respondent shall be entitled to
15 apply for and be issued a restricted real estate broker license
16 pursuant to Section 10156.5 of the Code, if Respondent:

17 1. Makes application therefor and pays to the
18 Department the appropriate fee for said license within one (1)
19 year from the effective date of this Decision.

20 2. The restricted license issued to Respondent shall
21 be subject to all of the provisions of Section 10156.7 of the
22 Business and Professions Code and to the following limitations,
23 conditions, and restrictions imposed under authority of Section
24 10156.6 of the Code.

25 3. The restricted license may be suspended prior to
26 hearing by Order of the Real Estate Commissioner in the event of
27 Respondent's conviction or plea of nolo contendere to a crime

1 which bears a significant relationship to Respondent's fitness
2 or capacity as a real estate licensee.

3
4 4. The restricted license may be suspended, prior to
5 and pending final determination after formal hearing by Order of
6 the Real Estate Commissioner based upon evidence satisfactory to
7 the Commissioner that Respondent has, subsequent to the date
8 hereof, violated provisions of the California Real Estate Law,
9 the Subdivided Lands Law, Regulations of the Real Estate
10 Commissioner or conditions attaching to the restricted license.

11 5. Respondent shall not be eligible to apply for the
12 issuance of an unrestricted real estate license nor the removal
13 of any of the conditions, limitations or restrictions of the
14 restricted license until at least one (1) year has elapsed from
15 the date of this Decision.

16 6. Respondent shall obey all laws of the United
17 States, the State of California and all its political
18 subdivisions and all the rules and regulations of the Real
19 Estate Commissioner.

20 7. Respondent shall, within one (1) year from the
21 effective date of this Decision, take and pass the Professional
22 Responsibility Examination administered by the Department,
23 including the payment of the appropriate examination fee. If
24 Respondent fails to satisfy this condition, the Commissioner may
25 order suspension of the license until Respondent passes the
26 examination.

27 8. Respondent shall, within two (2) years from the
effective date of this Decision, present evidence satisfactory



1 to the Real Estate Commissioner that she has taken and
2 successfully completed the continuing education requirements of
3 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
4 real estate license. If Respondent fails to satisfy this
5 condition, the restricted license may be suspended without
6 further hearing. However, should said license be suspended, the
7 Real Estate Commissioner shall afford Respondent the opportunity
8 for a hearing pursuant to the Administrative Procedure Act to
9 present such evidence.

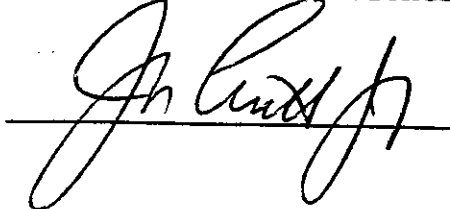
10 9. Respondent may not conduct or participate directly
11 or indirectly, in any escrow activities pursuant to the broker
12 exemption contained in Section 17006 of the Financial Code while
13 her license is restricted. Respondent may conduct or
14 participate in any escrow activities pursuant to activities
15 controlled by or under the jurisdiction of the Department of
16 Corporations.

17 * * *

18
19 The foregoing Order Pursuant to Stipulation is hereby
20 adopted as my Decision in this matter and shall become effective
21 at 12 o'clock noon on May 26, 1998.

22 IT IS SO ORDERED

23 JIM ANTT, JR.
24 Real Estate Commissioner

25 
26
27

1 DANIEL E. LUNGREN, Attorney General
 of the State of California
 2 DAVID S. CHANEY,
 Supervising Deputy Attorney General
 3 MARK P. RICHELSON, State Bar No. 58121
 Deputy Attorney General
 4 300 South Spring Street, Suite 500N
 Los Angeles, California 90013
 5 Telephone: (213) 897-2482

6 Attorneys for Respondent
 Department of Real Estate
 7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 FOR THE COUNTY OF LOS ANGELES

10
 11 DEANNA SANCHEZ TAN, an) CASE NO. BS 047209
 individual)
 12)
) Petitioner,) STIPULATION TO DISMISSAL OF
 13) ACTION AND ISSUANCE OF A
) v.) RESTRICTED LICENSE
 14)
 15 JIM ANTT, JR. REAL ESTATE)
 COMMISSIONER OF THE STATE OF)
 16 STATE OF CALIFORNIA,)
 REAL ESTATE COMMISSIONER)
)
 17 Respondents.)
 18

19 WHEREAS on September 26, 1996, the Department of Real
 20 Estate filed its Accusation against Respondent, Deanna Sanchez
 21 Tan (hereinafter referred to as "Tan");

22 WHEREAS the Accusation sought to revoke Tan's real
 23 estate broker's license for violation of Business and Professions
 24 Code section 10177(f);

25 WHEREAS the Accusation alleged that Tan had operated an
 26 independent escrow company without the appropriate license from
 27 the California Department of Corporations;

1 WHEREAS on July 17, 1997 the Real Estate Commissioner
2 adopted the July 3, 1997 proposed decision of the Administrative
3 Law Judge of the Office of Administrative Hearings revoking Tan's
4 real estate broker's license because Tan had "engaged in
5 activities for which an escrow license was required without
6 having been licensed to engage in such activities. . . ." In
7 accordance with Government Code section 11523, Respondent had 30
8 days after the last day on which reconsideration could be ordered
9 to petition for judicial review.

10 WHEREAS on September 18, 1997 Tan filed her Petition
11 for Writ of Mandate;

12 WHEREAS a hearing was held and a stay order issued by
13 the Los Angeles Superior Court on September 18, 1997 on Tan's ex
14 parte application for stay of the Real Estate Commissioner's
15 order revoking Tan's license; and,

16 WHEREFORE Petitioner Deanna Sanchez Tan and Respondent
17 Jim Antt Real Estate Commissioner of the State of California
18 stipulate and agree to resolve the pending Petition for Writ of
19 Mandate in the following manner:

20 1. Jim Antt, Jr., Real Estate Commissioner of the
21 State of California and Deanna Sanchez Tan will resolve the
22 Department of Real Estate's administrative license revocation
23 action by agreeing that:

24 A. That this matter shall be remanded to Respondent, Jim
25 Antt, Jr., Real Estate Commissioner of the State of California
26 pursuant to the Order attached as Exhibit A; and,

27 B. That Jim Antt, Jr. Real Estate Commissioner of the State

1 of California shall enter a decision in the form attached as
2 Exhibit B hereto in the remanded administrative proceeding;

3 2. Petitioner, Deanna Sanchez Tan, will dismiss the
4 pending Petition for Writ of Mandate and any stay issued pursuant
5 thereto in Los Angeles Superior Court Case No. BS 045 948
6 immediately upon her, or her attorney's, receipt of Deanna
7 Sanchez Tan's restricted real estate broker's license as
8 described in exhibit B to paragraph number 1 above;

9 3. All parties shall bear their own costs of suit in
10 this matter; and.

11 4. Deanna Sanchez Tan agrees by this Stipulation to
12 release Jim Antt, JR., Real Estate Commissioner of the State of
13 California, the Department of Real Estate and their employees
14 from any and all claims, causes of action, known or unknown
15 rights arising out of or related to the investigation of or
16 issuance of the of the matter known as the Matter of the
17 Accusation of Deanna Sanchez Tan, Department of Real Estate Case
18 No. H-26825 LA issued on September 26, 1996 or of any subsequent
19 actions taken by and related directly or indirectly to the
20 issuance of the order revoking her license or its defense of the
21 Petition for Writ of Mandate.

22 //

23 //

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3.

1 5. This stipulation may be executed in several
2 counterparts, each of which shall be deemed an original but all
3 of which shall constitute one and the same written agreement.

4 DAVIS AND DAVIS

5
6
7 Dated: 3/6/98

M. Stephen Davis
M. STEPHEN DAVIS
Attorneys for Petitioner
Deanna Sanchez Tan

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11
12
13 Dated: March 5, 1998

DANIEL E. LUNGREN, Attorney General
of the State of California
DAVID S. CHANEY,
Supervising Deputy Attorney General
MARK P. RICHELSON,
Deputy Attorney General

Mark P. Richelson
MARK P. RICHELSON
Deputy Attorney General

Attorneys for Respondent
Department of Real Estate

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FILED
SEP 11 1997
DEPARTMENT OF REAL ESTATE

By *Laurie A. Zair*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)
DEANNA SANCHEZ TAN,) NO. H-26825 LA
Respondent.) L-9610158

ORDER DENYING RECONSIDERATION

On July 17, 1997, a Decision was rendered in the above-entitled matter. The Decision was to become effective on August 12, 1997. A thirty-day stay was granted on August 6, 1997, making the effective date September 11, 1997. A ten-day stay was granted on August 18, 1997, making the effective date September 22, 1997.

On or about July 31, 1997, Respondent petitioned for reconsideration of the Decision of July 17, 1997.

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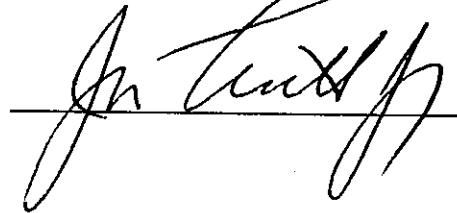
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1 I have given due consideration to the petition of
2 Respondent. I find no good cause to reconsider the Decision
3 of July 17, 1997, and reconsideration is hereby denied.
4

5 IT IS SO ORDERED 9/11/97.

6 JIM ANTT JR.
7 Real Estate Commissioner
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SAC

FILED
AUG 18 1997
DEPARTMENT OF REAL ESTATE

By C. B. —

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) NO. H-26825 LA
DEANNA SANCHEZ TAN,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On July 17, 1997, a Decision was rendered in the above-entitled matter to become effective at 12 o'clock noon on August 12, 1997.

On August 6, 1997, an Order Staying Effective Date was entered ordering that the effective date of the Decision of July 17, 1997, be stayed for a period of thirty (30) days, and further ordering that the Decision of July 17, 1997, become effective at 12 o'clock noon on September 11, 1997.

The Decision of July 17, 1997, shall be stayed for an additional period of ten (10) days.

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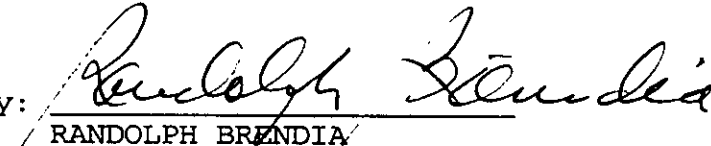
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1 The Decision of July 17, 1997, shall become effective
2 at 12 o'clock noon on September 22, 1997.

3 DATED: August 18, 1997.

4 JIM ANTT, JR.
5 Real Estate Commissioner

6
7 By:


8 RANDOLPH BRENDIA
9 Regional Manager
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FILED
AUG - 6 1997
DEPARTMENT OF REAL ESTATE

By C. J.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of) NO. H-26825 LA
DEANNA SANCHEZ TAN,)
Respondent.)

ORDER STAYING EFFECTIVE DATE

On July 17, 1997, a Decision was rendered in
the above-entitled matter to become effective August 12, 1997.

IT IS HEREBY ORDERED that the effective date of the
Decision of July 17, 1997, is stayed for a period of 30 days.

The Decision of July 17, 1997, shall become effective
at 12 o'clock noon on September 11, 1997.

DATED: August 6, 1997.

JIM ANTT, JR.
Real Estate Commissioner

By: Randolph Brendia
RANDOLPH BRENDIA
Regional Manager

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * * *

FILED
JUL 21 1997
DEPARTMENT OF REAL ESTATE

By C. Bay

In the Matter of the Accusation of)

No. H-26825 LA

L-9710158

DEANNA SANCHEZ TAN,)

Respondent(s).)

DECISION

The Proposed Decision dated July 3, 1997,
of the Administrative Law Judge of the Office of
Administrative Hearings, is hereby adopted as the Decision
of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on August 12, 1997.

IT IS SO ORDERED

JIM ANTT, JR.
Real Estate Commissioner

Jm Antt Jr

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation	)	NO. H-26825-LA
Against:	)	
	)	OAH NO. L-9610158
DEANNA SANCHEZ TAN,	)	
	)	
Respondent.	)	

PROPOSED DECISION

This matter was heard by Administrative Law Judge Jerry Mitchell of the Office of Administrative Hearings on June 6, 1997, at Los Angeles, California.

The complainant was represented by Christopher K. D. Leong, Counsel.

The respondent was present and represented by M. Stephen Davis, Attorney at Law.

FINDINGS OF FACT

1. The Accusation herein was made and filed by Thomas McCrady in his official capacity as a Deputy Real Estate Commissioner of the State of California.

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

3. In 1993, respondent engaged in activities for which an escrow license was required without having been licensed to engage in such activities. Based on her previous work experience in the field of escrow, she knew or should have known that what she was doing in 1993 required a license.

4. Respondent testified on her own behalf but was not forthcoming about, and did not accept personal responsibility for, the facts set forth in Finding 3, from which it must be inferred that she is not sufficiently rehabilitated at this time to warrant continued licensure under the Real Estate Law.

DETERMINATION OF ISSUES

The facts set forth in Finding 3 constitute cause under Section 10177(f) of the Code to suspend or revoke respondent's license and license rights.

ORDER

All licenses and license rights of respondent Deanna Sanchez Tan under the Real Estate Law are revoked.

DATED: JULY 3, 1997


JERRY MITCHELL
Administrative Law Judge
Office of Administrative Hearings.

SAC

1 CHRIS LEONG, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, CA 90012

5 (213) 897-3937

FILED
MAY 13 1997
DEPARTMENT OF REAL ESTATE

By C. Bay

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Accusation of) NO. H-26825 LA
12 DEANNA SANCHEZ TAN,) L-9610158
13) FIRST AMENDMENT
14 Respondent.) TO ACCUSATION
15 _____)

16 The Accusation heretofore filed on September 26, 1996,
17 in the above-mentioned matter is hereby amended as follows:

18 X

19 Complainant incorporates by reference Paragraphs I
20 through IX, of his Accusation filed on September 26, 1996.

21 XI

22 Paragraph II, line 27, is amended as follows:
23 "salesperson" is replaced with "broker".

24 XII

25 Paragraph II, line 27 shall continue as follows:

26 "Respondent was licensed as a real estate salesperson
27

1 from July 29, 1994 to April 1, 1997. From April 2,
2 1997 to present, Respondent has been licensed as a
3 real estate broker."

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

13 Dated at Los Angeles, California
14 this 13th day of May, 1997.

15
16
17 THOMAS McCRADY
18 Deputy Real Estate Commissioner
19
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21
22

23 cc: Deanna Sanchez Tan
24 M. Steven Davis, Esq.
25 Henry Marquez
26 Sacto
27 CGT
OAH

SAC

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
)
 DEANNA SANCHEZ TAN,)
)
 _____)
 Respondent(s).

Case No. H-26825 LA

OAH No. L-9610158

FILED
MAR 21 1997
DEPARTMENT OF REAL ESTATE

By *C. B.*
NOTICE OF CONTINUED HEARING ON ACCUSATION

To the above-named Respondent(s):

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 314 W. First Street, Los Angeles, CA 90012 on MONDAY, JUNE 9, 1997, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: March 21, 1997

By

Chris Leong
CHRIS LEONG, Counsel

cc: Deanna Sanchez Tan
M. Stephen Davis, Esq.
Henry Marquez
~~Sacto.~~
OAH

CEB

RE 501 (La Mac 11/92)

SAC

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)

Case No. H-26825 LA

DEANNA SANCHEZ TAN,

OAH No. L-9610158

Respondent(s)

FILED
NOV 19 1996
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

By C. B.

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 314 W. First Street, Los Angeles, CA 90012 on THURSDAY, MARCH 6, 1997, at the hour of 1:30 P.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. If you are not present in person nor represented by counsel at the hearing, the Department may take disciplinary action against you based upon any express admission or other evidence including affidavits, without any notice to you.

You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by applying to the Department of Real Estate.

The hearing shall be conducted in the English language. If you want to offer the testimony of any witness who does not proficiently speak the English language, you must provide your own interpreter. The interpreter must be approved by the Administrative Law Judge conducting the hearing as someone who is proficient in both English and the language in which the witness will testify. You are required to pay the costs of the interpreter unless the Administrative Law Judge directs otherwise.

DEPARTMENT OF REAL ESTATE

Dated: November 19, 1996

By

Chris Leong
CHRIS LEONG, Counsel

cc: Deanna Sanchez Tan
M. Stephen Davis, Esq.
Henry Marquez
✓ Sacto.
OAH

CEB

RE 501 (La Mac 11/92)

SAC

1 CHRIS LEONG, Counsel
2 Department of Real Estate
3 107 South Broadway, Room 8107
4 Los Angeles, California 90012

(213) 897-3937

FILED
SEP 26 1996
DEPARTMENT OF REAL ESTATE

By C. Leong

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 In the Matter of the Accusation of) No. H-26825 LA
12 DEANNA SANCHEZ TAN,) A C C U S A T I O N
13 Respondent.)
14 _____)

15 The Complainant, Thomas McCrady, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against DEANNA SANCHEZ TAN (hereinafter "Respondent"), is
18 informed and alleges as follows:

I

19
20 The Complainant, Thomas McCrady, a Deputy Real Estate
21 Commissioner of the State of California, makes this Accusation
22 against Respondent in his official capacity.

II

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

III

On or about February 12, 1993, the Department of Corporations (hereinafter "DOC") investigated Investors Choice Escrow Corporation (hereinafter "ICEC"), located at 15617 Studebaker Rd., Norwalk, CA, and concluded that Respondent was the de facto owner of ICEC, who was doing licensed escrow activities without a license.

IV

On July 1, 1993, Investors Escrow Company, Inc. (hereinafter "IECI") applied to the DOC for an escrow license. The license application identified Respondent as Vice President and Secretary of ICEI.

V

A further examination by DOC on February 25, 1994, of the escrow entities ICEC and IECI and Respondent, revealed continued unlicensed activities, fraudulent misstatement of escrow deposits and trust fund violations, among other violations.

VI

On July 18, 1994, an Accusation was filed by DOC against Respondent. The file number was ALPHA.

VII

On or about April 10, 1995, Respondent signed, both individually and on behalf of ICEC and IECI, a Settlement Agreement with DOC wherein Respondent agreed to receive a Desist and Refrain Order against ICEC, an Order Denying the license application of IECI and a Suspension Order for six (6) months

1 from being employed in any escrow capacity by an escrow company
2 and being barred from control of any escrow company for two (2)
3 years.

4 VIII

5 On or about April 18, 1995, the Commissioner of DOC
6 issued:

- 7 1. Order suspending Respondent from employment and
8 barring her from management in escrow operations
9 (File 963-1618/ALPHA).
10 2. Order to Desist and Refrain against ICEC.
11 3. Order Denying Escrow License to IECI.

12 IX

13 Respondent's conduct leading to the action before the
14 DOC, and the subsequent Orders of the DOC, as alleged above in
15 Paragraphs III through VIII, is cause under Section 10177(f) of
16 the Code for the suspension or revocation of all licenses and
17 license rights of Respondent under the Real Estate Law.

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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 Respondent DEANNA SANCHEZ TAN, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code), and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California
this 26th day of September, 1996.

THOMAS McCRADY
Deputy Real Estate Commissioner

cc: Deanna Sanchez Tan
Henry Marquez
Sacto.
CGT