

*Subs
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FILED
MAY 16 2001
DEPARTMENT OF REAL ESTATE

By *James B. Kim*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of) NO. H-26870 LA
RAIN FORTUNE CHUNG,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On October 21, 1997, a Decision was rendered herein
revoking the real estate broker license of Respondent, but
granting Respondent the right to the issuance of a restricted
real estate broker license. A restricted real estate
salesperson license was issued to Respondent on November 25,
1997, and Respondent has operated as a restricted licensee
without cause for disciplinary action against Respondent since
that time.

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2 On January 31, 2001, Respondent petitioned for
3 reinstatement of said real estate broker license and the
4 Attorney General of the State of California has been given
5 notice of the filing of said petition.

6 I have considered the petition of Respondent and the
7 evidence and arguments in support thereof including Respondent's
8 record as a restricted licensee. Respondent has demonstrated
9 to my satisfaction that Respondent meets the requirements of
10 law for the issuance to Respondent of an unrestricted real
11 estate broker license and that it would not be against the
12 public interest to issue said license to Respondent RAIN FORTUNE
13 CHUNG.

14 NOW, THEREFORE, IT IS ORDERED that Respondent's
15 petition for reinstatement is granted and that a real estate
16 broker license be issued to Respondent if Respondent satisfies
17 the following conditions within nine (9) months from the date of
18 this Order:

19 1. Submittal of a completed application and payment
20 of the fee for a real estate broker license.

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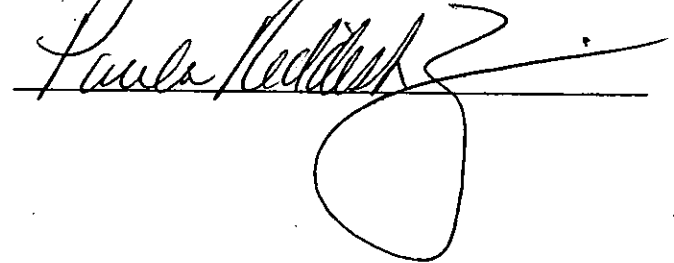
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2 2. Submittal of evidence of having, since the most
3 recent issuance of an original or renewal real estate license,
4 taken and successfully completed the continuing education
5 requirements of Article 2.5 of Chapter 3 of the Real Estate Law
6 for renewal of a real estate license.

7 This Order shall become effective immediately.

8 DATED: May 10, 2001.

9 PAULA REDDISH ZINNEBANN
10 Real Estate Commissioner
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Paula Reddish Zinnemann


cc: Rain Fortune Chung
17107 S. Denker Ave.
Gardena, CA 90247

FILED
NOV - 3 1997
DEPARTMENT OF REAL ESTATE

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

By K. Mederholt

* * * * *

In the Matter of the Accusation of)
)
AVAILABLE REAL ESTATE, INC.,)
a California corporation, RAIN)
FORTUNE CHUNGS, individually and as)
the designated broker of Available)
Real Estate, and SUSAN VASQUEZ, an)
individual,)
)
)
Respondents.)
_____)

No. H-26870 LA
L-9702002

DECISION

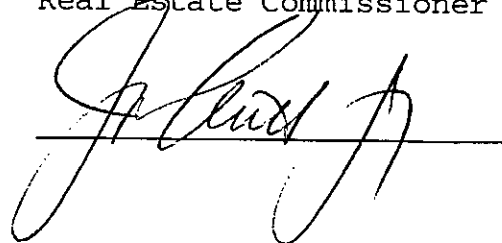
The Proposed Decision dated October 6, 1997,
of the Administrative Law Judge of the Office of
Administrative Hearings, is hereby adopted as the Decision
of the Real Estate Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on November 25, 1997.

IT IS SO ORDERED _____

10/21/97

JIM ANTT, JR.
Real Estate Commissioner



BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation)	
of)	
AVAILABLE REAL ESTATE, INC.,)	No. H 26870 LA
A California Corporation, RAIN)	
FORTUNE CHUNGS, individually)	OAH NO. L-9702002
and as the designated broker of)	
Available Real Estate, and)	
SUSAN VASQUEZ, an individual)	
Respondent.)	
_____)	

PROPOSED DECISION

On September 5, 1997, in Los Angeles, California, Joseph D. Montoya, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Ms. Marjorie P. Mersel, staff counsel, represented the complainant. Respondent Available Real Estate appeared through Mr. Rain Fortune Chungs. The individual Respondents appeared in propria persona.

After hearing evidence and argument, the administrative law judge submitted the matter for decision on the hearing date.

FINDINGS OF FACT

1. The underlying Accusation was filed by Thomas J. McCrady while he was acting in his official capacity as a Deputy Real Estate Commissioner, Department of Real Estate ("the Department"), State of California.

2. (A) At all times mentioned herein, Respondent Available Real Estate, Inc. ("ARE") was a California corporation, licensed as a corporate real estate broker, and holding license number 00939615.

(B) At all times relevant hereto, Respondent Rain Fortune Chungs ("Chungs") was an individual licensed by the Department as a real estate broker, number 00909098. From October 3, 1994, until August 7, 1997, Chungs was the Designated Broker of ARE.

(C) At all times relevant hereto Respondent Susan Vasquez was an individual licensed by the Department as a real estate salesperson, license number 00939615.

3. (A) On April 26, 1989, Vasquez was hired as a salesperson by ARE. At that time ARE's designated broker was Ms. Daphne Schutt ("Schutt"). Vasquez was then operating a property management company under the name "Personal Touch Property Management," and Schutt agreed that Vasquez would only conduct property management.

(B) Four days later, Vasquez opened a trust account at First Interstate Bank, on which she was a signatory, along with her Ms. Schutt and Respondent's husband.

4. (A) Vasquez operated her business in this manner until approximately November 1992. At that time, Ms. Schutt and Ms. Vasquez together filed a Fictitious Business Name statement with the Los Angeles County Recorder, which showed them as the principals of Personal Touch Property Management.

(B) Vasquez prepared a form to give the Department notice that ARE was using her fictitious business name, and relied upon Ms. Schutt to file it. However, the Department never received that form, or other proper notice of the fictitious name being used by Vasquez and Schutt, and thus the fictitious name was not properly licensed to ARE.

5. In approximately February 1993, Vasquez closed her client trust account and transferred its funds to a new trust account also held at First Interstate Bank. The purpose of this action was to delete her husband as a signatory, because he was not a Department licensee. Schutt put off becoming a signatory on this new account, as she was considering a sale or other change in her business, ARE.

6. (A) During the period from August 1988 to July 1995, ARE employed Ms. Linda Halstead as a salesperson. Like Vasquez, Halstead operated a property management business, using the fictitious name "L & B Properties". Halstead maintained a client trust account on which she was the only signatory; neither Schutt or Chung's ever became signatories on that trust account.

(B) Halstead's fictitious business name was not a licensed business name of ARE, her employing broker.

7. In May 1993 Chung's became a part owner of ARE. Ostensibly, he was to become that firm's designated broker in the place of Ms. Schutt, but that did not actually occur until October 2, 1994. Meanwhile, Ms. Schutt had still not become a signatory on Vasquez's client trust account, leaving Vasquez as the sole signatory on that account.

8. (A) Vasquez continued to use the Trust Account in the course of her business, collecting rents and other monies due her clients and depositing those funds in that account. She also paid various client obligations from the trust account. After February, 1993, all of these actions were without the participation or supervision of either Schutt or Chung.

(B) By accepting such funds, and not turning them over to her broker or placing them in an account over which the broker had control, Respondent violated section 10145(c) of the Business and Professions Code.¹

9. During their employment with ARE Vasquez and Halstead operated their property management services from addresses other than ARE's address of record. In the case of Vasquez, the bulk of her business activities were conducted from her home in Carson, California.

10. (A) After he became ARE's Designated Officer, Chung did little or nothing to supervise the salespersons licensed to ARE. Further, he failed to assure that there was a proper broker-salesperson contract with Vasquez. Chung took no steps to ascertain Vasquez' status, to assure her accounts and contracts were in order, or to otherwise discharge his duties as a licensee. He was, however, collecting the monthly fee she paid for the privilege of being able to place her license with ARE.

(B) Chung's failure to properly supervise and control the salespersons licensed to ARE constituted a violation of Code section 10177(h). His failure to have properly executed broker-salesperson contracts violated CCR section 2726.

11. In August 1995 the Department conducted an audit of ARE to determine if it was in compliance with Department regulations as well as the Real Estate Law. The audit was for the period June 1, 1994, to July 31, 1995. That audit revealed the following violations of the Code or Title 10, California Code of Regulations ("CCR"):²

(A) Monies obtained by Vasquez or Halstead, and to be held in trust by them, were deposited into the trust accounts not in the name of their broker, ARE, in violation of Code section 10145(c);

¹ All statutory references shall be to the Business and Professions Code unless otherwise noted.

² All references to the CCR shall be to Title 10 thereof, unless otherwise noted.

(B) ARE failed to maintain a columnar record for trust monies received and not placed into a trust account for earnest money deposits, in violation of CCR section 2831;

(C) Chung and ARE failed to maintain signed written broker-salesman contracts with each salesperson employed by them and licensed to ARE, in violation of CCR section 2726;

(D) ARE failed to notify the Department that nine (9) salespeople had left its employ during the audit period, in violation of Code section 10161.8 and CCR section 2752;

(E) The designated officers, Schutt and Chung, were not signatories on the Vasquez trust account, as set forth in Findings 5, 7, and 8, in violation of CCR section 2834;

(F) The Department never received notice of the fictitious business names being used by Vasquez and Halstead and did not authorize them, in violation of CCR section 2731;

(G) So far as the practice of Halstead and Vasquez to conduct their business activity from their homes or other locations constituted the operation of a branch office (Finding 9), ARE did not have that address added to its license, in violation of Code section 10163.

12. Chung sold ARE's business to another real estate firm, effective August 1, 1997. ARE is being dissolved. Chung has opened another brokerage as a sole proprietorship.

13. In mitigation of the violations committed by Vasquez, the audit established that her trust account was in balance. Ms. Vasquez has been licensed since 1985, without any prior disciplinary action against her. Respondent has the confidence and support of her clients, who have no complaints regarding her integrity or her services; indeed they offered praise for her work.

14. (A) In mitigation of his violations Chung has been a licensee since 1986, having obtained his brokers' license in 1988. During that period he had no other discipline. There was no evidence of any harm to the public as a result of the violations found herein.

(B) In aggravation, there is evidence that Mr. Chung was simply operating a "rent-a-brokerage", where all the salespeople, such as Vasquez, were paying him a monthly fee. Given his years of experience, his behavior must be deemed willful, rather than inadvertent.

DETERMINATION OF ISSUES

1. Cause exists to suspend or revoke the broker's license issued to Respondent ARE pursuant to Code section 10165, for violation of Code section 10161.8, based on Finding 11(d).

2. Cause exists to suspend or revoke the broker's license issued to Respondent ARE pursuant to Code section 10177(d), for violations of the Code and CCR, based on Findings 4(B), 6(A) & (B), and 11(A) to (G).

3. Cause exists to suspend or revoke the salesperson's license issued to Respondent Susan Vasquez pursuant to Code section 10177(d), for violation of Code section 10145(c), based on Finding 8(B).

4. Cause exists to suspend or revoke the broker's license issued to Respondent Rain Fortune Chungs pursuant to Code section 10177(d), for violation of the Code and CCR, based on Findings 10(B) and 11(A) to (G).

5. Cause exists to suspend or revoke the broker's license issued to Respondent Rain Fortune Chungs pursuant to Code section 10177(h), for failure to supervise, based on Findings 10(A).

6. There is mitigating evidence regarding Respondents Vasquez and Chungs, based on Findings 13 and 14(A).

7. There is aggravating evidence as to Respondent Chungs, based on Finding 14(B).

Discussion/Rationale:

It is well settled that the purpose of these proceedings is to protect the public, and not to punish the Respondents. (Camacho v. Youde (1979) 95 Cal. App. 3d 161, 164.)

While Respondent Vasquez was in violation of the Code and Regulations, her wrongdoing caused no harm to the public. As to at least one issue--the matter of licensing her fictitious name to ARE--she relied upon Ms. Schutt to take care of that matter. And, as to the matter of working from her home, rather than from her licensed address, that violation is de minimus. Fortunately, her trust account was in balance, although her broker was not a signatory on it for an extended period.

Under all the facts and circumstances, the public will be protected by minimum discipline.

On the other hand, Mr. Chung's transgressions are more serious. By law, he is vested with more responsibility than a salesperson, and he failed miserably in discharging that responsibility. It was plain from all of the evidence that he did not supervise the ARE sales staff after he became the designated officer of that firm. Instead, he simply operated a rent-a-broker firm. There was evidence that Ms. Halstead's trust account was, at some point during the audit period, short, and he had no clue that was the case. Further, as to any problems in the operation, he simply blamed Ms. Schutt.

As found, Mr. Chung has never been disciplined before. However, under the circumstances, some disciplinary action more serious than that ordered against Ms. Vasquez must be taken against Mr. Chung, in the hope that he will stop ignoring his responsibilities in his future business.

As to ARE, that firm has effectively gone out of business, and its license should be revoked, in order to protect the public from any misuse of its name or corporate identity.

ORDER

1. All licenses and licensing rights of Respondent Available Real Estate under the Real Estate Law are revoked.

2. All licenses and licensing rights of Respondent Rain Forest Chung under the Real Estate Law are revoked; provided, however, a restricted real estate broker license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application therefor and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Decision. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of that Code:

A. Any restricted real estate license issued to Respondent pursuant to this Decision shall be suspended for thirty (30) days from the date of issuance of said restricted license.

B. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as a real estate licensee.

C. The restricted license issued to Respondent may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted license.

D. Respondent shall not be eligible to apply for the issuance of an unrestricted real estate license nor for the removal of any of the conditions, limitations or restrictions of a restricted license until three (3) year(s) has/have elapsed from the effective date of this Decision.

E. Respondent shall, within nine months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has, since the most recent issuance of an original or renewal real estate license, taken and successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the Commissioner may order the suspension of the restricted license until the Respondent presents such evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure Act to present such evidence.

F. Respondent shall report in writing to the Department of Real Estate as the Real Estate Commissioner shall direct by his Decision herein or by separate written order issued while the restricted license is in effect such information concerning Respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but shall not be limited to, periodic independent accountings of trust funds in the custody and control of Respondent and periodic summaries of salient information concerning each real estate transaction in which the Respondent engaged during the period covered by the report.

All licenses and licensing rights of Respondent Susan Vasquez under the Real Estate Law are suspended for a period of One Hundred Eighty (180) days from the effective date of this Decision; provided, however, that One Hundred Seventy (170) days of said suspension shall be stayed for one (1) year upon the following terms and conditions:

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

B. That no final subsequent determination be made, after hearing or upon stipulation, that cause for disciplinary action occurred within one (1) year of the effective date of this Decision. 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. Should no such determination be made, the stay imposed herein shall become permanent.

October 6, 1997



Joseph D. Montoya,
Administrative Law Judge

Handwritten initials/signature

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
JUN 26 1997
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of
AVAILABLE REAL ESTATE INC.,
RAIN FORTUNE CHUNGS, and
SUSAN VASQUEZ,

} _____

By R. Medeiros

Case No. H-26870 LA

OAH No. L-9702002

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____
Office of Administrative Hearings, 107 South Broadway, Second Floor
Los Angeles, CA 90012

on September 5, 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.

Dated: JUN 26 1997

DEPARTMENT OF REAL ESTATE
By Marjorie P. Mersel
Counsel

cc: Rain Fortune Chung
Susan Vasquez
Sacto
OAH RW
RE 501 (1/92)
kw

Sacto OAH

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
FEB 18 1997
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

AVAILABLE REAL ESTATE INC.,
RAIN FORTUNE CHUNGS, and
SUSAN VASQUEZ,

}

By

R. W. ...

Case No. H-26870 LA

OAH No. L-9702002

Respondent

NOTICE OF HEARING ON ACCUSATION

To the above named respondent:

You are hereby notified that a hearing will be held before the Department of Real Estate at _____
Office of Administrative Hearings, 314 West First Street,
Los Angeles

on April 4, 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.

Dated: February 18, 1997

cc: Available Real Estate Inc.
Rain Fortune Chung
Susan Vasquez
Sacto OAH RW

DEPARTMENT OF REAL ESTATE

By *Marjorie P. Merse*
Counsel

RE 501 (1/92)
kw

Archie Gray

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MARJORIE P. MERSEL, Counsel
Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, CA 90012

(213) 897-3937

FILED
DEC - 9 1996
DEPARTMENT OF REAL ESTATE

By *K. Meierholt*

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-26870 LA
AVAILABLE REAL ESTATE, INC.)	<u>A C C U S A T I O N</u>
a California corporations and)	
RAIN FORTUNE CHUNGS, individually))	
and as the designated broker and)	
SUSAN VASQUEZ,)	
Respondents.)	

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, for cause of accusation against AVAILABLE REAL ESTATE, INC. (ARE), RAIN FORTUNE CHUNGS (CHUNGS), individually and as the designated officer of ARE, and SUSAN VASQUEZ (VASQUEZ) alleges as follows:

I

The Complainant, Thomas McCrady, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in his official capacity.

II

At all times mentioned herein, CHUNGS was and still is licensed by the Department of Real Estate of the State of

1 California ("Department") as a real estate broker, both
2 individually and as the designated broker of ARE. At all times
3 mentioned herein, ARE was and still is licensed by the Department
4 as a corporate real estate broker. At all times mentioned
5 hereafter, VASQUEZ was licensed as a real estate salesperson and
6 employed by ARE.

7 III

8 At all times mentioned herein, for or in expectation of
9 compensation, ARE, CHUNGS and VASQUEZ were licensed to act as
10 either real estate brokers or real estate salespersons in the
11 State of California within the meaning of Sections 10131(a) and
12 (b) of the California Business and Professions Code (Code) wherein
13 they solicited for or negotiated the sale or purchase of real
14 property or negotiated the leasing of real property or collected
15 rent from tenants residing on real property as the agent of others
16 for or in expectation of compensation. As the designated broker
17 officer of ARE, CHUNGS had responsibilities set forth in Section
18 10159.2 of the Code.

19 IV

20 During the last three years, VASQUEZ, while employed as
21 a real estate salesperson by ARE, has conducted activities
22 described in Section 10131(b) of the Code out of an office at
23 24014 Neptune Ave., Carson, California. Said activities were
24 conducted by VASQUEZ under the fictitious business name of
25 "Personal Touch Property Management". ARE did not have this
26 fictitious business name added to its license at the time VASQUEZ
27 was conducting these property management activities nor did ARE

1 have this branch office location added to its corporate license.

2 V

3 With reference to activities of VASQUEZ described above
4 in Paragraph IV, while leasing and/or negotiating the leasing of
5 real properties on behalf of various owners including, but not
6 limited to, Hong T. Mai, Spiros Kostas, Noreen Jones, Francisco
7 Jacobo, Gary Welch and Laura Day, VASQUEZ collected rental money
8 from various tenants residing on said owners' properties. Said
9 rental proceeds are trust funds but VASQUEZ failed to deliver said
10 trust funds to ARE or to otherwise handle said trust funds in a
11 way directed by her employer.

12 VI

13 On or about August 17, 1995, an auditor employed by the
14 Department audited the books and records of ARE pertaining to its
15 activities requiring a real estate license covering a period of
16 time from June 1, 1994, to July 31, 1995. That audit determined
17 that ARE and CHUNGS were in violation of the following Sections of
18 Chapter 6, Title 10, California Code of Regulations (Regulations)
19 and the Code:

20 a. Trust funds collected by VASQUEZ were deposited in
21 an Account known as the Personal Touch Property Management Clients
22 Trust Account.

23 b. ARE failed to maintain a columnar record for trust
24 funds received and not placed into a trust account for earnest
25 money deposits.

26 c. CHUNGS and ARE failed to maintain signed written
27 broker-salesperson relationship agreements with each salesperson



1 licensed to ARE.

2 d. ARE failed to notify the Department that nine
3 licensees had left its employ.

4 VIII

5 The acts and omissions of ARE, as set forth in
6 Paragraphs IV and VI are in violation of Section 10161.8 of the
7 California Business and Professions Code and Sections 2715, 2726,
8 2731, 2830 and 2831 of Chapter 6, Title 10, California Code of
9 Regulations and are grounds for the suspension or revocation of
10 the licenses and license rights of ARE pursuant to Sections 10165
11 and 10177(d) of the Code.

12 VIII

13 The acts and omissions of VASQUEZ, as set forth in
14 Paragraph V, are in violation of Section 10145(c) of the Code and
15 are grounds to revoke or suspend the license and license rights of
16 this respondent pursuant to Section 10177(d) of the Code.

17 IX

18 The conduct of CHUNGS, as set forth above, is in
19 violation of Section 2726 of the Regulations and also demonstrates
20 a complete lack of supervision over the activities of ARE and
21 VASQUEZ requiring a real estate license and is cause to suspend or
22 revoke his real estate broker license and license rights pursuant
23 to Sections 10177(d) and 10177(h) of the Code.

24
25 WHEREFORE, Complainant prays that a hearing be conducted
26 on the allegations of this Accusation and that upon proof thereof,
27 a decision be rendered imposing disciplinary action against all



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licenses and/or license rights of AVAILABLE REAL ESTATE, INC.,
RAIN FOREST CHUNGS and SUSAN VAZQUEZ under the Real Estate Law and
for such other and further relief as may be proper under
applicable provisions of law.

Dated at Los Angeles, California
this 9th day of December, 1996.

THOMAS MC CRADY

Deputy Real Estate Commissioner

cc: Available Real Estate Inc.
Rain Forest Chungs
Susan Vazquez
Sacto
RW