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JAN - 5 1998
DEPARTMENT OF REAL ESTATE

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STATE OF CALIFORNIA

By K. Wuderk

* * * * *

In the Matter of the Accusation of)
CHUNG SHUNG LO,) NO. H-27344 LA
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 December 12, 1997, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

I

On September 9, 1997, Thomas McCrady made the Accusation and made the Amendment to Accusation on October 3, 1997, in his official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on October 31, 1997.

II

On December 12, 1997, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

III

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) (Code). Respondent was originally licensed by the Department of Real Estate of the State of California (Department) as a real estate broker on November 24, 1986.

IV

On November 29, 1995, Respondent submitted to the Department a Broker License Application for a restricted real estate broker license that failed to reveal the conviction set forth in Paragraph V.

V

On February 24, 1989, in the United States District Court for the District of Nevada, Respondent was convicted upon a plea of nolo contendere of violating one count of 26 USC 7201 (income tax evasion), a felony crime by its facts and circumstances that involves moral turpitude and is substantially related under Section 2910, Title 10, Chapter 6, of the California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

VI

Additionally, Respondent LO has failed to notify the Department of her present business address. LO provided an address purporting to be her office and principal place of business that in reality was a storage facility. This conduct constitutes a violation of Section 10162 of the Code and Section 2715 of the Regulations and is cause to suspend or revoke the real estate license and license rights of Respondent LO under Sections 10165 and 10177(d) of the Code.

VII

Respondent's failure to disclose the conviction set forth in Paragraph V in said application, constitutes the procurement of a real state license by fraud, misrepresentation or deceit, or by making a material misstatement of fact in said application which is cause

for suspension or revocation of Respondent's real estate license or license rights under Sections 498 and 10177(a) of the Code.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent CHUNG SHUNG LO exists pursuant to Sections 498 and 10177(a) of the Code.

II

Cause for disciplinary action against Respondent CHUNG SHUNG LO exists pursuant to Sections 10165 and 10177(d) of the Code.

III

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

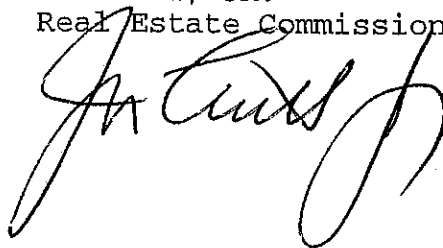
ORDER

The license and license rights of Respondent CHUNG SHUNG LO under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on January 27, 1998.

DATED: 12/18/97

JIM ANTT, JR.
Real Estate Commissioner



1 Department of Real Estate
2 107 South Broadway, Room 8107
3 Los Angeles, California 90012
4 Telephone (213) 897-3937
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6
7

FILED
December 12 1997
DEPARTMENT OF REAL ESTATE

By Bahr

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 CHUNG SHUNG LO,) No. H-27344 LA
13)
14 Respondent(s).)

15 DEFAULT ORDER

16 Respondent, CHUNG SHUNG LO , having failed to file a
17 Notice of Defense within the time required by Section 11506 of the
18 Government Code, is now in default. It is, therefore, ordered
19 that a default be entered on the record in this matter.
20

21 IT IS SO ORDERED December 12, 1997

22 JIM ANTT, JR.
Real Estate Commissioner

23 Randolph Brendia
24 By: RANDOLPH BRENDIA
25 Regional Manager
26
27

