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Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, CA 90012
(213) 897-3937

FILED
NOV - 4 1997
DEPARTMENT OF REAL ESTATE

By C. 37

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

TO:)	
)	NO. H-27393 LA
KIM DANG NGUYEN,)	
doing business as)	<u>ORDER TO DESIST</u>
Bankers Mortgage Company)	<u>AND REFRAIN</u>
and CLYDE T. OGATA.)	
_____)	

The Real Estate Commissioner of the State of California ("Commissioner") has caused an investigation to be conducted of your activities requiring a real estate license, and based upon the findings of that investigation, is of the opinion that you, KIM DANG NGUYEN, doing business as Bankers Mortgage Company (hereinafter "NGUYEN") have violated Section 10137 of the Business and Professions Code of the State of California ("Code") and that you, CLYDE T. OGATA (hereinafter "OGATA") have violated Section 10130 of the Code.

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I

At all times mentioned herein, you, NGUYEN, doing business as Bankers Mortgage Company, were and still are licensed by the Department of Real Estate of the State of California ("Department") as a real estate broker.

II

At no time mentioned herein have you, OGATA, been licensed by the Department as a real estate broker or as a real estate salesperson employed by a real estate broker.

III

At all times mentioned herein, in Los Angeles County, California, for or in expectation of compensation, you, NGUYEN, engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Section 10131(d) of the Code, including the operation of a mortgage loan brokerage business with the public wherein borrowers were solicited for loans secured directly or collaterally by liens on real property, wherein such loans were arranged, negotiated, processed, and packaged on behalf of various institutional lenders and mortgage bankers, for or in expectation of compensation. In connection with said business you, NGUYEN, employed and thereafter compensated you, OGATA, for acts requiring a real estate license as set forth below.

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IV

In or about September 1996, you, OGATA, solicited for and thereafter negotiated a home improvement loan secured by a lien on real property commonly known as 6239 Alcove Ave., North Hollywood, California, on behalf of the borrowers, Romeo and Daisy Sarmiento. For this work you, NGUYEN, compensated you, OGATA.

V

Your conduct, OGATA, as set forth in Paragraph IV, is that of a real estate broker as defined in Section 10131(d). By performing said acts you are in violation of Section 10130 of the Code. By compensating OGATA for such acts when he was not licensed by the Department you, NGUYEN, are in violation of Section 10137 of the Code.

NOW, THEREFORE, YOU, CLYDE T. OGATA, ARE ORDERED TO DESIST AND REFRAIN from performing licensed acts, individually and under any fictitious name, until appropriately licensed by the Department as a real estate broker, including a license to do business under a fictitious business name.

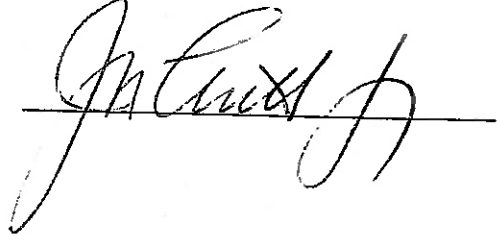
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FURTHER, THEREFORE, YOU, KIM DANG NGUYEN, ARE
ORDERED TO DESIST AND REFRAIN from employing or compensating
any person to conduct activities requiring a real estate
license unless and until that person is licensed as a real
estate broker or employed by you as a real estate
salesperson.

DATED: 10/30/97.

JIM ANTT, JR.
Real Estate Commissioner



cc: KIM DANG NGUYEN
Bankers Mortgage Company
15504 S. Western Ave., Suite 23
Gardena, CA 90249

KIM DANG NGUYEN
Royal Home Realty Co.
3925 N. Rosemead Blvd., Suite 201
Rosemead, CA 91770

CLYDE T. OGATA
Bankers Mortgage Company
15504 S. Western Ave., Suite 23
Gardena, CA 90249

CL:SR
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