

3/2
1 Department of Real Estate
320 West Fourth Street, Suite 350
2 Los Angeles, California 90013-1105

3 Telephone: (213) 576-6982
4 -or- (213) 576-6910 (Direct)

FILED
FEB 23 2001
DEPARTMENT OF REAL ESTATE

By CS

8
9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 In the Matter of the Accusation of) NO. H-28268 LA
13 PAUL ORGONG WONG,) L-1999100520
14 Respondent.) STIPULATION AND AGREEMENT

15
16 It is hereby stipulated by and between PAUL ORGONG WONG
17 (hereinafter "Respondent"), represented by Gregson M. Perry,
18 Esq., and the Complainant, acting by and through Chris Leong,
19 Counsel for the Department of Real Estate, as follows for the
20 purpose of settling and disposing of the Accusation filed on
21 October 8, 1999.

22 1. All issues which were to be contested and all
23 evidence which was to be presented by Complainant and Respondent
24 at a formal hearing on the Accusation, which hearing was to be
25 held in accordance with the provisions of the Administrative
26 Procedure Act, shall instead and in place thereof be submitted
27 solely on the basis of the provisions of this Stipulation and
Agreement.

1 2. Respondent has received, read and understands the
2 Statement to Respondent, the Discovery Provisions of the
3 Administrative Procedure Act and the Accusation, filed by the
4 Department of Real Estate in this proceeding.

5 3. On October 26, 1999, Respondent filed a Notice of
6 Defense pursuant to Section 11505 of the Government Code for the
7 purpose of requesting a hearing on the allegations in the
8 Accusation. Respondent hereby freely and voluntarily withdraws
9 said Notice of Defense. Respondent acknowledges that he
10 understands that by withdrawing said Notice of Defense he will
11 thereby waive his right to require the Commissioner to prove the
12 allegations in the Accusation at a contested hearing held in
13 accordance with the provisions of the Administrative Procedure
14 Act and that Respondent will waive other rights afforded to him
15 in connection with the hearing, such as the right to present
16 evidence in defense of the allegations in the Accusation and the
17 right to cross-examine witnesses.

18 4. In the interest of expedience and economy,
19 Respondent chooses not to contest the factual allegations in
20 Paragraphs 1 through 9 of the Accusation, but to remain silent,
21 and understands that, as a result thereof, these factual
22 statements, without being admitted or denied, will serve as a
23 prima facie basis for the disciplinary action stipulated to
24 herein. The Real Estate Commissioner shall not be required to
25 provide further evidence to prove such allegations.

26 5. It is understood by the parties that the Real
27 Estate Commissioner may adopt the Stipulation and Agreement as



1 her Decision in this matter, thereby imposing the penalty and
2 sanctions on Respondent's real estate license and license rights
3 as set forth in the "Order" below. In the event that the
4 Commissioner in her discretion does not adopt the Stipulation
5 and Agreement, it shall be void and of no effect, and Respondent
6 shall retain the right to a hearing and proceeding on the
7 Accusation under all the provisions of the Administrative
8 Procedure Act and shall not be bound by any admission or waiver
9 made herein.

10 6. The Order or any subsequent Order of the Real
11 Estate Commissioner made pursuant to this Stipulation and
12 Agreement shall not constitute an estoppel, merger or bar to any
13 further administrative or civil proceeding by the Department of
14 Real Estate with respect to any matters which were not
15 specifically alleged to be causes for accusation in this
16 proceeding.

17 DETERMINATION OF ISSUES

18 By reason of the foregoing stipulations, admissions
19 and waivers and solely for the purpose of settlement of the
20 pending Accusation without a hearing, it is stipulated and
21 agreed that the following Determination of Issues shall be made:

22 The acts and omissions of Respondent, described in
23 Paragraphs 1 through 9 of the Accusation, are cause for the
24 suspension or revocation of all real estate licenses and license
25 rights of Respondent under the provisions of Code Section
26 10177(g).

27

1
2
3 DATED:

1/17/01

CHRIS LEONG

CHRIS LEONG, ESQ.
Counsel for Complainant

4
5 * * *

6 I have read the Stipulation and Agreement, have
7 discussed it with my counsel, and its terms are understood by me
8 and are agreeable and acceptable to me. I understand that I am
9 waiving rights given to me by the California Administrative
10 Procedure Act (including but not limited to Sections 11506,
11 11508, 11509 and 11513 of the Government Code), and I willingly,
12 intelligently and voluntarily waive those rights, including the
13 right of requiring the Commissioner to prove the allegations in
14 the Accusation at a hearing at which I would have the right to
15 cross-examine witnesses against me and to present evidence in
16 defense and mitigation of the charges.

17 Respondent can signify acceptance and approval of the
18 terms and conditions of this Stipulation and Agreement by faxing
19 a copy of its signature page, as actually signed by Respondent,
20 to the Department at the following telephone/fax number
21 (213) 567-6917. Respondent agrees, acknowledges and understands
22 that by electronically sending to the Department a fax copy of
23 his actual signature as it appears on the Stipulation and
24 Agreement, that receipt of the faxed copy by the Department
25 shall be as binding on Respondent as if the Department had
26 received the original signed Stipulation and Agreement.

27



09/07/2000 00:55 905-597-0573

PAUL WING FEA-TOR

PAGE 32

FROM : Law Offices of Gregon M. Perry FAX NO. : 3108204246

Dec. 06 2000 11:26AM P7

3 DATED: 12/7/00

5 DATED: 12/7/00

PAUL ORGONG WING Respondent

GREGON M. PERRY, ESQ.
Counsel for Respondent

9 The foregoing Stipulation and Agreement is hereby
10 adopted as my Decision in this matter and shall become effective
11 at 12 o'clock noon on March 15, 2001

12 IT IS SO ORDERED February 6, 2001

13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner

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COPIES
10/10/00
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SAC

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of)

PAUL ORGONG WONG,)

Respondent(s)

Case No. H-28268 LA

OAH No. L-1999100520

FILED
SEP 12 2000
DEPARTMENT OF REAL ESTATE

NOTICE OF CONTINUED HEARING ON ACCUSATION, C3

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, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on THURSDAY, NOVEMBER 16, 2000, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: September 12, 2000 By

CHRIS LEONG
CHRIS LEONG, Counsel

cc: Paul Orgong Wong
Gregson M. Perry, Esq.
DE Commercial & Industrial
Sacto.
OAH

RE 501 (Rev. 8/97)

SAC

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
PAUL ORGONG WONG,)
Respondent(s)

Case No. H-28268 LA

OAH No. L-1999100520

FILED
APR 24 2000
DEPARTMENT OF REAL ESTATE

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, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on THURSDAY, JUNE 22, 2000, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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DEPARTMENT OF REAL ESTATE

Dated: April 24, 2000

By

CHRIS LEONG
CHRIS LEONG, Counsel

cc: Paul Orgong Wong
Gregson M. Perry, Esq.
DE Commercial & Industrial
Sacto.
OAH

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
PAUL ORGONG WONG,)
Respondent(s))

Case No. H-28268 LA

OAH No. L-1999100520

FILED
MAR - 2 2000
DEPARTMENT OF REAL ESTATE

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, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on THURSDAY, APRIL 6, 2000, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: March 2, 2000

By

Chris Leong
CHRIS LEONG, Counsel

cc: Paul Orgong Wong
Gregson M. Perry, Esq.
DE Commercial & Industrial
Sacto.
OAH

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)
PAUL ORGONG WONG,)
Respondent(s))

Case No. H-28268 LA

OAH No. L-1999100520

FILED
JAN - 4 2000
DEPARTMENT OF REAL ESTATE

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, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on TUESDAY, FEBRUARY 29, 2000, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: January 4, 2000

By CHRIS LEONG
CHRIS LEONG, Counsel

cc: Paul Orgong Wong
Gregson M. Perry, Esq.
DE Commercial & Industrial
Sacto.
OAH

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of)

Case No. H-28268 LA

PAUL ORGONG WONG,

OAH No. L-1999100520

Respondent(s)

FILED
NOV 10 1999
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON ACCUSATION

To the above-named Respondent(s):

By C. B. Wong

You are hereby notified that a hearing will be held before the Department of Real Estate at the Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los Angeles, CA 90013-1105 on WEDNESDAY and THURSDAY, DECEMBER 15 and 16, 1999, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Accusation served upon you. If you object to the place of hearing, you must notify the presiding administrative law judge of the Office of Administrative Hearings within ten (10) days after this notice is served on you. Failure to notify the presiding administrative law judge within ten days will deprive you of a change in the place of the hearing.

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 and pay his or her costs. The interpreter must be certified in accordance with Sections 11435.30 and 11435.55 of the Government Code.

DEPARTMENT OF REAL ESTATE

Dated: November 10, 1999

By

Chris Leong
CHRIS LEONG, Counsel

cc: Paul Orgong Wong
DE Commercial & Industrial
Sacto.
OAH

9AC
1 CHRIS LEONG, Counsel (SBN 141079)
2 Department of Real Estate
3 320 West Fourth Street, Suite 350
4 Los Angeles, CA 90013-1105
5 Telephone: (213) 576-6982
6 -or- (213) 576-6910 (Direct)

FILED
OCT - 8 1999
DEPARTMENT OF REAL ESTATE

By CB

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)
12 PAUL ORGONG WONG,) NO. H-28268 LA
13 Respondent.) A C C U S A T I O N
14 _____)

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

19 1.

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

23 2.

24 At all times herein mentioned, Respondent was and
25 still is presently licensed and/or has license rights under
26 the Real Estate Law, Part 1 of Division 4 of the Business and
27 Professions Code (hereinafter "Code").

3.

At all times, Respondent was licensed or had license rights with the Department of Real Estate of the State of California (hereinafter "Department") as a real estate salesperson.

4.

At all times mentioned herein, Respondent was the owner of real property located at 15081 Beechwood, Chino Hills, California (hereinafter "Beechwood property"). On or about February 10, 1998, a Notice of Default was Recorded in Official Records, County of San Bernardino, document number 19980048649, by the agent of the beneficiary of a deed of trust signed by Respondent, in favor of Great Western Bank, securing a note for \$104,000.00.

5.

On or about June 2, 1998, Mr. Michael J. Bell and Tamara Bell (hereinafter "the Bells") applied to rent the Beechwood property from Respondent. A Lease and Addendum to the Lease was entered into between the Bells and Respondent. On June 2, 1998, as part of this agreement, the Bells gave Respondent, a security deposit of \$2,500.00. The Bells moved into the Beechwood property with two children and invested effort and money to improve the property.

6.

On or about November 30, 1998, Respondent and the Bells entered into an agreement to transfer interest in the Beechwood property from Respondent to the Bells. On the same



1 day, as part of this agreement, the Bells gave Respondent, as a
2 "good faith deposit", a Wells Fargo & Company check in the
3 amount of \$4,000.00. Also, as part of this transfer interest
4 agreement, the Bells were to receive credit of \$2,300.00 (the
5 security deposit) if they got title, but would have the
6 \$4,000.00 refunded by Respondent if the property was put up for
7 sale.

8 7.

9 On or about April 7, 1999, the Bells withdrew their
10 purchase offer in writing and made a demand that the
11 \$4,000.00 good faith deposit be returned. On or about
12 April 29, 1999, the Bells received a notification of new
13 ownership for the Beechwood property informing them that the
14 Beechwood property had been sold through foreclosure
15 proceedings and Trustee sale.

16 8.

17 Respondent failed to return the \$2,500.00 security
18 deposit or the \$4,000.00 good faith deposit to the Bells.
19 The Bells were required by the new owners to vacate the
20 property. Respondent did not disclose to the Bells that a
21 Notice of Default was filed or that a foreclosure was pending
22 until about April 22, 1999. If this information was
23 disclosed, the Bells would not have rented this property,
24 move in with two children, pay a security deposit, make an
25 offer to purchase the property, pay a good faith deposit or
26 invest effort and money in improving the property. The Bells
27 obtained a Small Claims Court judgment against Respondent in



1 the amount of \$4,000.00, however, have been unable to collect
2 on their judgment.

3 9.

4 The conduct of Respondent, in engaging in the
5 activities as described in Paragraphs 1 through 8, constitutes
6 negligence and fraud and dishonest dealing. Said conduct and
7 violations are cause to suspend or revoke the real estate
8 licenses and license rights of Respondent under Code Sections
9 10177(j) and (g).

10 WHEREFORE, Complainant prays that a hearing be
11 conducted on the allegations of this Accusation and that upon
12 proof thereof, a decision be rendered imposing disciplinary
13 action against all licenses and license rights of Respondent,
14 PAUL ORGONG WONG, under the Real Estate Law (Part 1 of
15 Division 4 of the Business and Professions Code), and for
16 such other and further relief as may be proper under other
17 applicable provisions of law.

18 Dated at Los Angeles, California
19 this 8th day of October, 1999.

20
21 THOMAS MCCRADY

22 Deputy Real Estate Commissioner

23
24 cc: Paul Orgong Wong
25 DE Commercial & Industrial Properties, Inc.
26 Thomas McCrady
27 Sacto.
JN

