

FILED

APR 18 2010

DEPARTMENT OF REAL ESTATE

L. Zin

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of) No. H-29189 LA
HUEY JYE HSIAO,)
Respondent.)

ORDER GRANTING REINSTATEMENT OF LICENSE

On December 5, 2001, a Decision was rendered herein revoking the real estate salesperson license of Respondent, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on January 2, 2002 and Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

On or about October 31, 2008, Respondent petitioned for reinstatement of said real estate salesperson license.

I have considered Respondent's petition and the evidence and arguments submitted in support thereof. Respondent has demonstrated to my satisfaction that Respondent meets the requirements of law for the issuance to Respondent of an unrestricted real estate

1 salesperson license and that it would not be against the public interest to issue said license to
2 Respondent.

3 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal
4 of restrictions is granted and that a real estate salesperson license be issued to Respondent, if
5 Respondent satisfies the following conditions within twelve (12) months from the date of this

6 Order:

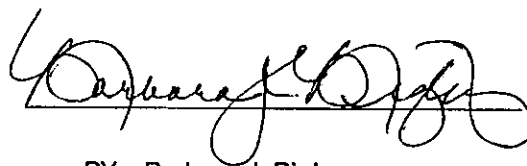
7
8 1. Submittal of a completed application and payment of the fee for a real estate
9 salesperson license.

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

13
14 This Order shall be effective immediately.

15 Dated: 4/1/2010

16 JEFF DAVI
17 Real Estate Commissioner

18
19 

20 BY: Barbara J. Bigby
21 Chief Deputy Commissioner

MARY E. WORK, Counsel
SBN 175887
Department of Real Estate
320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982
(213) 576-6916 (Direct)

FILED
DEC 13 2001
DEPARTMENT OF REAL ESTATE

By *J. Mederholt*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
JENNY MYELENG LEUNG and)	NO. H-29189 LA
<u>HUEY JYE HSIAO</u>)	L-2001090494
,)	
)	<u>STIPULATION AND AGREEMENT</u>
Respondents.)	

It is hereby stipulated by and between HUEY JYE HSIAO
(hereinafter referred to as "Respondent") and the Complainant,
acting by and through Mary E. Work, Counsel for the Department of
Real Estate, as follows for the purpose of settling and disposing
of the Accusation filed on August 21, 2001, in this matter:

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

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

7 3. On September 12, 2001, Respondent filed a Notice of
8 Defense pursuant to Section 11506 of the Government Code for the
9 purpose of requesting a hearing on the allegations in the
10 Accusation. Respondent hereby freely and voluntarily withdraws
11 said Notice of Defense. Respondent acknowledges that he
12 understands that by withdrawing said Notice of Defense he will
13 thereby waive his right to require the Commissioner to prove the
14 allegations in the Accusation at a contested hearing held in
15 accordance with the provisions of the APA and that he will waive
16 other rights afforded to him in connection with the hearing such
17 as the right to present evidence in defense of the allegations in
18 the Accusation and the right to cross-examine witnesses.

19 4. This Stipulation and Agreement (hereinafter
20 "Stipulation") is based on the factual allegations contained in
21 the Accusation filed in this proceeding. In the interest of
22 expedience and economy, Respondent chooses not to contest these
23 factual allegations, but to remain silent and understands that,
24 as a result thereof, these factual statements, without being
25 admitted or denied, will serve as a prima facie basis for the
26 disciplinary action stipulated to herein. This Stipulation and
27 Respondent's decision not to contest the Accusation are hereby

1 expressly limited to this proceeding and made for the sole
2 purpose of reaching an agreed disposition of this proceeding.
3 Respondent's decision not to contest the factual allegations is
4 made solely for the purpose of effectuating this Stipulation and
5 is intended by Respondent to be non-binding upon any actions
6 against Respondent by third parties. The Real Estate
7 Commissioner shall not be required to provide further evidence to
8 prove such allegations.

9 5. This Stipulation and any Order made pursuant to the
10 Stipulation shall have no collateral estoppel or res judicata
11 effect in any proceedings in which Respondent and the Department
12 (or the Department's representative) are not parties. The
13 Stipulation is made by Respondent and received by the
14 Commissioner and the Department, with the express understanding
15 and agreement that it is for the purpose of settling these
16 proceedings only, and that this Stipulation is not intended as,
17 and shall not be deemed, used, or accepted as an acknowledgment
18 or admission of fact in any other judicial, administrative, or
19 other proceeding to which the Department is not a party.

20 6. It is understood by the parties that the Real
21 Estate Commissioner may adopt the Stipulation and Agreement as
22 her Decision in this matter, thereby imposing the penalty and
23 sanctions on Respondent's real estate license and license rights
24 as set forth in the below "Order". In the event that the
25 Commissioner in her discretion does not adopt the Stipulation and
26 Agreement, it shall be void and of no effect, and Respondent
27 shall retain the right to a hearing and proceeding on the

1 Accusation under all the provisions of the APA and shall not be
2 bound by any admission or waiver made herein.

3 7. The Order or any subsequent Order of the Real Estate
4 Commissioner made pursuant to this Stipulation and Agreement
5 shall not constitute an estoppel, merger or bar to any further
6 administrative or civil proceedings by the Department of Real
7 Estate with respect to any matters which were not specifically
8 alleged to be causes for accusation in this proceeding.

9 DETERMINATION OF ISSUES

10 By reason of the foregoing stipulations, admissions and
11 waivers and solely for the purpose of settlement of the pending
12 Accusation without a hearing, it is stipulated and agreed that
13 the following determination of issues shall be made:

14 The conduct, acts and/or omissions of Respondent, HUEY
15 JYE HSIAO, as set forth in the Accusation violate Business and
16 Professions Code (hereinafter "Code") Section 10130 of the Code
17 and constitute cause to suspend or revoke the real estate license
18 and license rights of Respondent HUEY JYE HSIAO, under the
19 provisions of Section 10177(d) of the Code.

20 ORDER

21 WHEREFORE, THE FOLLOWING ORDER is made:

22 All licenses and licensing rights of Respondent HUEY JYE
23 HSIAO, (that is, Respondent's real estate salesperson license)
24 under the Real Estate Law, are revoked; provided, however, a
25 restricted real estate salesperson license shall be issued to
26 Respondent pursuant to Section 10156.5 of the Code if Respondent
27 makes application therefor and pays to the Department of Real

1 from the effective date of this Decision. The restricted license
2 issued to Respondent shall be subject to all of the provisions of
3 Section 10156.7 of the Code and to the following limitations,
4 conditions and restrictions imposed under authority of Section
5 10156.6 of the Code:

6 1. The restricted license issued to Respondent shall be
7 suspended for sixty (60) days from the effective date of issuance
8 of a restricted license; provided, however, that if Respondent
9 petitions, said sixty (60) day suspension shall be stayed for two
10 (2) years upon condition that:

11 a. Respondent pays a monetary penalty pursuant to Section
12 10175.2 of the Business and Professions Code of ten thousand
13 dollars (\$10,000.).

14 b. Said payment shall be in the form of a cashier's check
15 or certified check made payable to the Recovery Account of the
16 Real Estate Fund. Said check must be received by the Department
17 prior to the effective date of the Decision in this matter.

18 c. No further cause for disciplinary action against the
19 real estate license of Respondent occurs within two (2) years
20 from the effective date of the Decision in this matter.

21 d. If Respondent fails to pay the monetary penalty in
22 accordance with the terms and conditions of the Decision, the
23 Commissioner may, without a hearing, order the immediate
24 execution of all or any part of the stayed suspension in which
25 event the Respondent shall not be entitled to any repayment nor
26 credit, prorated or otherwise, for any money paid to the
27 Department under the terms of this Decision.

1 e. If Respondent pays the monetary penalty and if no
2 further cause for disciplinary action against the real estate
3 license of Respondent occurs within two (2) years from the
4 effective date of the Decision, the stay hereby granted shall
5 become permanent.

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

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

17 4. Respondent shall not be eligible to apply for the
18 issuance of an unrestricted real estate license nor for the
19 removal of any of the conditions, limitations or restrictions of
20 a restricted license until (2) years have elapsed from the
21 effective date of this Decision.

22 5. Respondent shall submit with any application for
23 license under an employing broker, or any application for
24 transfer to a new employing broker, a statement signed by the
25 prospective employing real estate broker on a form approved by
26 the Department of Real Estate which shall certify:
27

1 (a) That the employing broker has read the Decision
2 of the Commissioner which granted the right to a restricted
3 license; and

4 (b) That the employing broker will exercise close
5 supervision over the performance by the restricted licensee
6 relating to activities for which a real estate license is
7 required.

8
9 DATED: 11-20-01

10 
11 MARY E. WORK, Counsel for the
12 Department of Real Estate

13 * * *

14 I have read the Stipulation and Agreement, and its terms are
15 understood by me and are agreeable and acceptable to me. I
16 understand that I am waiving rights given to me by the California
17 Administrative Procedure Act (including but not limited to
18 Sections 11506, 11508, 11509 and 11513 of the Government Code),
19 and I willingly, intelligently and voluntarily waive those
20 rights, including the right of requiring the Commissioner to
21 prove the allegations in the Accusation at a hearing at which I
22 would have the right to cross-examine witnesses against me and to
23 present evidence in defense and mitigation of the charges.

24 Respondent can signify acceptance and approval of the
25 terms and conditions of this Stipulation and Agreement by faxing
26 a copy of the signature page, as actually signed by Respondent,
27 to the Department at the following telephone/fax number: (213)
576-6917. Respondent agrees, acknowledges and understands that by

electronically sending to the Department a fax copy of his or her
 actual signature as it appears on the Stipulation and Agreement,
 that receipt of the faxed copy by the Department shall be as
 binding on Respondent as if the Department had received the
 original signed Stipulation and Agreement.

DATED: 11-19-01

Huey Jye Hsiao
 HUEY JYE HSIAO,
 Respondent

* * *

The foregoing Stipulation and Agreement is hereby adopted as
my Decision as to Respondent HUEY JYE HSIAO and shall become
effective at 12 o'clock noon on
January 2, 2002

IT IS SO ORDERED

December 5, 2001.

PAULA REDDISH ZINNEMAN
 Real Estate Commissioner

Paula Reddish Zinneman

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 Telephone (213) 576-6982

FILED
OCT 26 2001

DEPARTMENT OF REAL ESTATE

By 

5
6
7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 * * *

10 In the Matter of the Accusation of)

No. H-29189 LA

11 JENNY MYELENG LEUNG,)

STIPULATION AND
AGREEMENT

12 Respondent.)
13)
14)

15 It is hereby stipulated by and between JENNY MYELENG
16 LEUNG (hereinafter referred to as "Respondent"), representing
17 herself, and the Complainant acting by and through Mary E. Work,
18 Counsel for the Department of Real Estate, as follows for the
19 purpose of settling and disposing of the Accusation filed on
20 August 21, 2001, in this matter:

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

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

5 3. On September 12, 2001, Respondent filed a Notice of
6 Defense pursuant to Section 11506 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 she
10 understands that by withdrawing said Notice of Defense, she will
11 thereby waive her 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 APA and that she will waive
14 other rights afforded to her in connection with the hearing such
15 as the right to present evidence in defense of the allegations in
16 the Accusation and the right to cross-examine witnesses.

17 4. This Stipulation and Agreement (hereinafter
18 "Stipulation") is based on the factual allegations contained in
19 the Accusation filed in this proceeding. In the interest of
20 expedience and economy, Respondent chooses not to contest these
21 factual allegations, but to remain silent and understands that,
22 as a result thereof, these factual statements, without being
23 admitted or denied, will serve as a prima facie basis for the
24 disciplinary action stipulated to herein. This Stipulation and
25 Agreement and Respondent's decision not to contest the Accusation
26 are hereby expressly limited to this proceeding and made for the
27 sole purpose of reaching an agreed disposition of this

1 proceeding. Respondent's decision not to contest the factual
2 allegations is made solely for the purpose of effectuating this
3 Stipulation and is intended by Respondent to be non-binding upon
4 any actions against Respondent by third parties. The Real Estate
5 Commissioner shall not be required to provide further evidence to
6 prove such allegations.

7 5. This Stipulation and any Order made pursuant to the
8 Stipulation shall have no collateral estoppel or res judicata
9 effect in any proceedings in which Respondent and the Department
10 (or the Department's representative) are not parties. The
11 Stipulation is made by Respondent and received by the
12 Commissioner and the Department, with the express understanding
13 and agreement that it is for the purpose of settling these
14 proceedings only, and that this Stipulation is not intended as,
15 and shall not be deemed, used, or accepted as an acknowledgment
16 or admission of fact in any other judicial, administrative, or
17 other proceeding to which the Department is not a party.

18 6. It is understood by the parties that the Real
19 Estate Commissioner may adopt the Stipulation and Agreement as
20 her Decision in this matter, thereby imposing the penalty and
21 sanctions on Respondent's real estate license and license rights
22 as set forth in the below "Order." In the event that the
23 Commissioner, in her discretion, does not adopt the Stipulation
24 and Agreement, it shall be void and of no effect, and Respondent
25 shall retain the right to a hearing and proceeding on the
26 Accusation under all the provisions of the APA and shall not be
27 bound by any admission or waiver made herein.

1 DETERMINATION OF ISSUES

2 By reason of the foregoing stipulations, admissions and
3 waivers and solely for the purpose of settlement of the pending
4 Accusation without a hearing, it is stipulated and agreed that
5 the following determination of issues shall be made:

6 The conduct, acts and/or omissions of Respondent, JENNY
7 MYELENG LEUNG, as set forth in the Accusation, constitute cause
8 to suspend or revoke the real estate license and license rights
9 of Respondent JENNY MYELENG LEUNG, under the provisions of the
10 Business and Professions Code (hereinafter "Code") Sections 10137
11 and 10177(g).

12 ORDER

13 WHEREFORE, THE FOLLOWING ORDER is made:

14 All licenses and licensing rights of Respondent JENNY
15 MYELENG LEUNG, under the Real Estate Law, are suspended for a
16 period of ninety (90) days from the effective date of the
17 Decision; provided, however, that if Respondent petitions, forty-
18 five (45) days shall be stayed upon the condition that:

19 1. Respondent pays a monetary penalty pursuant to
20 Section 10175.2 of the Business and Professions Code for a total
21 monetary penalty of five thousand dollars (\$5,000).

22 2. Said payment shall be in the form of a cashier's
23 check or certified check made payable to the Recovery Account of
24 the Real Estate Fund. Said check must be received by the
25 Department prior to the effective date of the Decision in this
26 matter.

1 3. No further cause for disciplinary action against
2 the real estate license of Respondent occurs within two (2) years
3 from the effective date of the Decision in this matter.

4 4. If Respondent fails to pay the monetary penalty in
5 accordance with the terms and conditions of the Decision, the
6 Commissioner may, without a hearing, order the immediate
7 execution of all or part of the stayed suspension in which event
8 Respondent shall not be entitled to any repayment nor credit,
9 prorated or otherwise, for money paid to the Department under the
10 terms of this Decision.

11 5. If Respondent pays the monetary penalty and if no
12 further cause for disciplinary action against the real estate
13 license of Respondent occurs within two (2) years from the
14 effective date of the Decision, the stay hereby granted shall
15 become permanent.

16 6. The remaining forty-five (45) days of said ninety
17 (90) day suspension is stayed for two (2) years upon the
18 following terms and conditions:

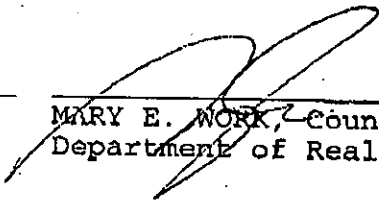
19 (a) Respondent shall obey all laws, rules and
20 regulations governing the rights, duties and responsibilities of
21 a real estate licensee in the State of California; and

22 (b) That no final determination be made, after hearing
23 or upon stipulation, that cause for disciplinary action occurred
24 within two (2) years of the effective date of this Decision.

25 Should such determination be made, the Commissioner may, in her
26 discretion, vacate and set aside the stay order and reimpose all
27 or a portion of the stayed suspension. Should no such

1 determination be made, the stay imposed herein shall become
2 permanent.

3
4 DATED: 10-13-01

5 
6 MARY E. WORK, Counsel for the
7 Department of Real Estate

8
9
10 * * *

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

22 Respondent can signify acceptance and approval of the
23 terms and conditions of this Stipulation and Agreement by faxing
24 a copy of the signature page, as actually signed by Respondent,
25 to the Department at the following telephone/fax number: (213)
26 576-6917. Respondent agrees, acknowledges and understands that
27 by electronically sending to the Department a fax copy of her

1 actual signature as it appears on the Stipulation and Agreement,
2 that receipt of the faxed copy by the Department shall be as
3 binding on Respondent as if the Department had received the
4 original signed Stipulation and Agreement.

5 DATED: 10/15/01

Jenny Mye Leng Leung
6 JENNY MYE LENG LEUNG, Respondent
7
8

9 The foregoing Stipulation and Agreement is hereby
10 adopted as my Decision as to Respondent JENNY MYE LENG LEUNG
11 And shall be effective at 12 o'clock noon on
12 November 15, 2001

13 IT IS SO ORDERED

October 25, 2001
14 PAULA REDDISH ZINNEBANN
15 Real Estate Commissioner
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27

*Aut
Jye*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FILED
OCT 19 2001
DEPARTMENT OF REAL ESTATE

In the Matter of the Accusation of

JENNY MYELENG LEUNG and
HUEY JYE HSIAO,

Case No. H-29189 LA

OAH No. L-2001090494

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, 320 W. Fourth St., Ste. 350, Los Angeles, CA

on November 20, 2001, 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: October 19, 2001

By

MARY E. WORK

Counsel

cc: Jenny Myeleng Leung
Huey Jye Hsiao
Clayton D. Wilson, Esq.
Sacto
OAH
RJ

kw

RE 501 (Rev. 8/97)

Handwritten:
Jenny
Hsiao

1 MARY E. WORK, Counsel
SBN 175887
2 Department of Real Estate
320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone (213) 576-6982
-Direct- (213) 576-6916
5
6
7

FILED
AUG 21 2001
DEPARTMENT OF REAL ESTATE

By K. Knecht

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

* * *

10 In the Matter of the Accusation of) No. H-29189 LA
11 JENNY MYELENG LEUNG and)
12 HUEY JYE HSIAO,) ACCUSATION
13 Respondents.)
_____)

14 The Complainant, Maria Suarez, a Deputy Real Estate
15 Commissioner of the State of California, for cause of Accusation
16 against JENNY MYELENG LEUNG (hereinafter "Respondent LEUNG") and
17 HUEY JYE HSIAO, aka Jeff H. Hsiao (hereinafter "Respondent
18 HSIAO"), is informed and alleges as follows:
19

20 1.

21 The Complainant, Maria Suarez, a Deputy Real Estate
22 Commissioner of the State of California, makes this Accusation
23 against Respondent in her official capacity.

24 ////
25 ////
26 ////
27 ////

1
2 FIRST CAUSE OF ACTION

3 (Unlicensed Activity)

4 2.

5 At all times mentioned herein, Respondent LEUNG was and
6 still is licensed by the Department of Real Estate of the State
7 of California ("Department") as a real estate broker.

8 3.

9 Respondent HSIAO was originally issued a real estate
10 salesperson license by the Department on or about September 2,
11 1983. On January 29, 2000, said license expired and was not
12 renewed until July 18, 2000. Between January 30, 2000 and July
13 18, 2000, during a period when Respondent was not licensed as a
14 real estate salesperson, Respondent engaged in acts for which a
15 real estate license was required. In addition, Respondent
16 conducted real estate transactions under the fictitious business
17 name JL Investment.

18 4.

19 During February 2000, Respondent HSIAO contacted Mai
20 Hue Van regarding the purchase of real property located at 7727
21 Fern Avenue, Rosemead, California and, acting in the capacity of
22 Ms. Van's real estate salesperson, prepared an offer of purchase
23 for said property. The Escrow was conducted by Equal Escrow,
24 Inc., and was assigned the escrow no. 16703-PY. Escrow for said
25 property closed on March 31, 2000, and Respondent HSIAO received
26 a commission check directly from the escrow company in the amount
27 of \$5,115.

1 5.

2 During March 2000, Respondent HSIAO contacted Francis
3 Tang regarding real property located at 1100 South 5th Avenue,
4 Arcadia, California. Mr. Tang agreed to substitute in as the
5 buyer for said property which was already in escrow. The Escrow
6 was conducted by Equal Escrow, Inc., and was assigned the escrow
7 no. 16713-PY. Escrow for said property closed on April 13, 2000,
8 and Respondent HSIAO received a commission check directly from
9 the escrow company in the amount of \$7,700.

10 6.

11 On or about March 10, 2000, Respondent HSIAO presented
12 a written offer of purchase, for real property located a 14100
13 Don Julian Road, La Puente, California. The offer was not
14 accepted. Said offer states that the selling broker is J.L.
15 Investment Group, represented by HSIAO. J.L. Investment was a
16 fictitious business name formerly licensed to Respondent LEUNG by
17 the Department between May 9, 1994 and January 21, 2000.

18 7.

19 Respondent HSIAO'S acts, as described above in
20 Paragraphs 4, 5 and 6 are in violation of Section 10130 of the
21 Business and Professions Code (hereinafter "Code") and are
22 grounds under Section 10177(d) of the Code for the suspension or
23 revocation of all licenses and license rights of Respondent HSIAO
24 under the Real Estate Law.

25 SECOND CAUSE OF ACTION

26 (Violation of Section 10137)

27 8.

1 Complainant incorporates herein by reference the
2 Preamble and the allegations of Paragraphs 1 through 7 above,
3 inclusive.

4 9.

5 At all times mentioned herein, Respondent HSIAO, for or
6 in expectation of compensation engaged in the business of, acted
7 in the capacity of, advertised or assumed to act as a real estate
8 broker for others in the State of California within the meaning
9 of Section 10130 of the Code and as described more specifically
10 in Paragraphs 4, 5, and 6 above.

11 10.

12 LEUNG employed and/or compensated HSIAO while HSIAO
13 engaged in the activities set forth in Paragraphs 4, 5 and 6
14 above. The acts or omissions of Respondent LEUNG in employing
15 Respondent HSIAO to conduct activities requiring a real estate
16 license when he was not licensed by the Department is cause to
17 revoke or suspend the licenses and license rights of Respondent
18 LEUNG pursuant to 10137 of the Code.

19 THIRD CAUSE OF ACTION

20 (Violation of Section 10177(j))

21 11.

22 Complainant incorporates herein by reference the
23 Preamble and the allegations of Paragraphs 1 through 7 above,
24 inclusive.

25 12.

26 On or about January 21, 2000, Respondent LEUNG
27 cancelled the fictitious business name JL Investment with the

1 Department. Respondent HSIAO used said fictitious business name,
2 after its cancellation, while conducting the transactions
3 described above in Paragraphs 4, 5, and 6 above. Said conduct
4 constitutes fraud and/or dishonest dealing.

5 13.

6 The facts alleged above are cause to revoke or suspend
7 the licenses and license rights of Respondent HSIAO pursuant to
8 10177(j) of the Code.

9 FOURTH CAUSE OF ACTION

10 (Violation of Section 10177(g))

11 14.

12 Complainant incorporates herein by reference the
13 Preamble and the allegations of Paragraphs 1 through 7 above,
14 inclusive.

15 15.

16 During the period from January 29, 2000 through July
17 18, 2000, Respondent LEUNG failed to exercise reasonable care of
18 Respondent HSIAO, an expired salesperson licensee in her employ,
19 in that Respondent did not review, oversee, inspect and manage
20 transactions conducted by HSIAO and did not detect that HSIAO
21 conducted the transactions described above in Paragraphs 4, 5, 6
22 and 12 above while his licensed was expired.

23 16.

24 The facts alleged above are grounds for the suspension
25 or revocation of Respondent LEUNG's license under Section
26 10177(g) of the Code.

MARIA SUAREZ

Dated at Los Angeles, California,
this 21st day of August, 2001

- 6 -