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FILED
JUN 18 2007
DEPARTMENT OF REAL ESTATE

Handwritten signature:
K. Theodor

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of) NO. H-29436 LA
)
LEE WONG,)
)
Respondent.)

ORDER GRANTING UNRESTRICTED LICENSE

On June 28, 2002, a Decision was rendered herein, effective immediately, denying Respondent's application for a real estate salesperson license, 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 November 4, 2002. Respondent has operated as a restricted licensee without cause for disciplinary action against Respondent since that time.

///
///
///

1 On July 20, 2005, Respondent petitioned for the
2 removal of restrictions attaching to his real estate
3 salesperson license.

4 I have considered Respondent's petition and the
5 evidence submitted in support thereof. Respondent has
6 demonstrated to my satisfaction that Respondent meets the
7 requirements of law for the issuance to Respondent of an
8 unrestricted real estate salesperson license and that it would
9 not be against the public interest to issue said license to
10 Respondent.
11

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

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

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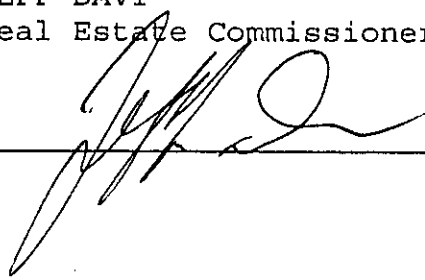
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2. Submittal of evidence of having since the most
recent issuance of an original or renewal real estate license,
taken and successfully completed the continuing education
requirements of Article 2.5 of Chapter 3 of the Real Estate
Law for renewal of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

This Order shall be effective immediately.

Dated: 6-6-07.

JEFF DAVI
Real Estate Commissioner




cc: Lee Wong
12561 Lull St.
North Hollywood, CA 91605

1 DEPARTMENT OF REAL ESTATE
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013

4 Telephone: (213) 576-6982

FILED
JUL 05 2002

DEPARTMENT OF REAL ESTATE

By 

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

11 * * *

12 In the Matter of the Application of)	
13 LEE WONG,)	NO. H-29436 LA
14 Respondent.)	L-2002040577
	<u>STIPULATION</u>
	<u>AND WAIVER</u>

15
16 It is hereby stipulated by and between LEE WONG
17 (hereinafter "Respondent") and Respondent's attorney, Stephen A.
18 DiGiuseppe, and the Complainant, acting by and through Mary E.
19 Work, Counsel for the Department of Real Estate, as follows for
20 the purpose of settling and disposing of the Statement of Issues
21 filed on March 27, 2002 in this matter:

22 A. Respondent acknowledges that Respondent has
23 received and read the Statement of Issues and the Statement to
24 Respondent filed by the Department of Real Estate in connection
25 with Respondent's application for a real estate broker license.
26 Respondent understands that the Real Estate Commissioner may hold
27 a hearing on this Statement of Issues for the purpose of

1 requiring further proof of Respondent's honesty and truthfulness
2 and to prove other allegations therein, or, that she may in her
3 discretion waive the hearing and grant Respondent a restricted
4 real estate salesperson license based upon this Stipulation and
5 Waiver. Respondent also understands that by filing the Statement
6 of Issues in this matter the Real Estate Commissioner is shifting
7 the burden to Respondent to make a satisfactory showing that
8 Respondent meets all the requirements for issuance of a real
9 estate broker license. Respondent further understands that by
10 entering into this Stipulation and Waiver, Respondent will be
11 stipulating that the Real Estate Commissioner has found that
12 Respondent has failed to make such a showing, thereby justifying
13 the denial of the issuance to Respondent of an unrestricted real
14 estate broker license.

15 B. Respondent hereby admits that the allegations of
16 the Statement of Issues filed against Respondent are true and
17 correct and requests that the Real Estate Commissioner in her
18 discretion issue a restricted real estate salesperson license to
19 Respondent under the authority of Section 10156.5 of the Business
20 and Professions Code.

21 C. Respondent is aware that by signing this
22 Stipulation and Waiver, Respondent is waiving Respondent's right
23 to a hearing and the opportunity to present evidence at the
24 hearing to establish Respondent's rehabilitation in order to
25 obtain an unrestricted real estate broker license if this
26 Stipulation and Waiver is accepted by the Real Estate
27 Commissioner. However, Respondent is not waiving Respondent's

1 right to a hearing and to further proceedings to obtain a
2 restricted or unrestricted license if this Stipulation and Waiver
3 is not accepted by the Commissioner.

4 D. Respondent further understands that the following
5 conditions, limitations, and restrictions will attach to a
6 restricted license issued by the Department of Real Estate
7 pursuant hereto:

8 1. The license shall not confer any property
9 right in the privileges to be exercised
10 including the right of renewal, and the Real
11 Estate Commissioner may by appropriate order
12 suspend the right to exercise any privileges
13 granted under this restricted license in the
14 event of:

15 a. The conviction of Respondent (including a
16 plea of nolo contendere) to a crime which
17 bears a substantial relationship to
18 Respondent's fitness or capacity as a real
19 estate licensee; or

20 b. The receipt of evidence that Respondent has
21 violated provisions of the California Real
22 Estate Law, the Subdivided Lands Law,
23 Regulations of the Real Estate
24 Commissioner, or conditions attaching to
25 this restricted license.

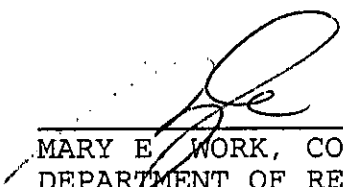
26 2. Respondent shall not be eligible to apply for
27 the issuance of an unrestricted real estate

1 license nor the removal of any of the
2 conditions, limitations or restrictions
3 attaching to the restricted license until two
4 years have elapsed from the date of issuance of
5 the restricted license to Respondent.

6 3. With the application for license, or with the
7 application for transfer to a new employing
8 broker, Respondent shall submit a statement
9 signed by the prospective employing broker on a
10 form approved by the Department of Real Estate
11 wherein the employing broker shall certify as
12 follows:

- 13 a. That broker has read the Statement of
14 Issues which is the basis for the issuance
15 of the restricted license; and
16 b. That broker will carefully review all
17 transaction documents prepared by the
18 restricted licensee and otherwise exercise
19 close supervision over the licensee's
20 performance of acts for which a license is
21 required.

22
23
24 6/17/02
25 DATED


26 MARY E. WORK, COUNSEL
27 DEPARTMENT OF REAL ESTATE

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I have read the Stipulation and Waiver, have discussed it with my counsel, and its terms are understood by me and are agreeable and acceptable to me. I understand that I am waiving rights given to me by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509, and 11513 of the Government Code), and I willingly, intelligently, and voluntarily waive those rights, including the right of a hearing on the Statement of Issues at which I would have the right to cross-examine witnesses against me and to present evidence in defense and mitigation of the charges.

6-14-02

DATED

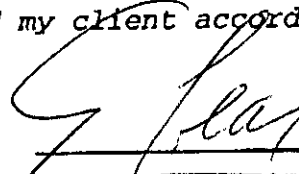


LEE WONG,
Respondent

I have reviewed the Stipulation and Agreement as to form and content and have advised my client accordingly.

6/14/02

DATED



~~STEPHEN A. DIGIUSEPPE~~
Attorney for Respondent

* * * Edward O. Lear

I have read the Statement of Issues filed herein and the foregoing Stipulation and Waiver signed by Respondent. I am satisfied that the hearing for the purpose of requiring further proof as to the honesty and truthfulness of Respondent need

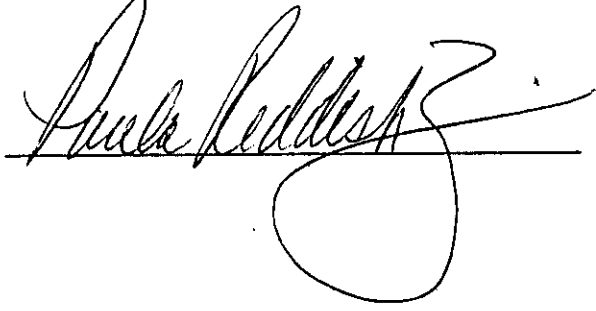
1 not be called and that it will not be inimical to the public
2 interest to issue a restricted real estate salesperson license
3 to Respondent.

4 Therefore, IT IS HEREBY ORDERED that a restricted real
5 estate salesperson license be issued to Respondent, if Respondent
6 has otherwise fulfilled all of the statutory requirements for
7 licensure. The restricted license shall be limited, conditioned,
8 and restricted as specified in the foregoing Stipulation and
9 Waiver.

10 This Order is effective immediately.

11 IT IS SO ORDERED June 28, 2002.
12

13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner

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SACTO

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of) Case No. H-29436 LA
)
LEE WONG,) OAH No. L-2002040577
)
_____))
Respondent(s)

FILED
APR 29 2002
DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING ON APPLICATION

By 

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, JUNE 18, 2002, at the hour of 9:00 A.M., or as soon thereafter as the matter can be heard, upon the Statement of Issues 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.

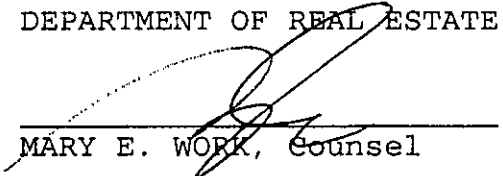
The burden of proof is upon you to establish that you are entitled to the license or other action sought. If you are not present nor represented at the hearing, the Department may act upon your application without taking evidence.

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

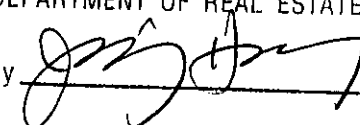
Dated: April 29, 2002

By 
MARY E. WORK, Counsel

cc: Lee Wong
David L. Shane, Esq.
Sacto.
OAH

SARJO

1 MARY E. WORK, Counsel
2 State Bar No. 175887
3 Department of Real Estate
4 320 W. 4th Street, Suite 350
5 Los Angeles, CA 90013-1105
6
7
8 Telephone: (213) 576-6982
9 -Direct- (213) 576-6916

FILED
MAR 27 2002
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

11 In the Matter of the Application of)
12 LEE WONG,) NO. H-29436 LA
13 Respondent.) STATEMENT OF ISSUES
14)

15 The Complainant, Janice Waddell, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against LEE WONG (hereinafter "Respondent") is informed and
18 alleges in her official capacity as follows:

I

19 On or about March 16, 2001, Respondent applied to the
20 Department of Real Estate of the State of California
21 (hereinafter "Department") for a real estate broker license.
22

II

23 In response to Question 20 of said application, to wit:
24 "HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW? (You may
25 omit convictions for drunk driving, reckless driving, and minor
26 traffic citations which do not constitute a misdemeanor or felony
27

1 offense)," Respondent answered "No" and failed to disclose the
2 conviction set forth below in Paragraph III.

3 III

4 On or about October 26, 1992, in the Municipal Court of
5 Los Angeles-Hollywood Judicial District, County of Los Angeles,
6 State of California, in case number 92H02815, Respondent, under
7 the name SUSAN LEE BRENNAN and upon her plea of nolo contendere,
8 was convicted of violating Section 23300 of the Business and
9 Professions Code (Sell Liquor Without a License), a misdemeanor
10 crime which by its facts and circumstances involves moral
11 turpitude and is substantially related under Section 2910, Title
12 10, Chapter 6, California Code of Regulations to the
13 qualifications, functions or duties of a real estate licensee.

14 IV

15 Respondent's failure to disclose the conviction set
16 forth in Paragraph III, above, in said application, constitutes
17 the procurement of a real estate license by misrepresentation,
18 fraud or deceit or by making a material misstatement of fact in
19 said application which is cause for denial of issuance of a
20 license to an applicant under Sections 475(a)(1), 480(c) and
21 10177(a) of the California Business and Professions Code
22 (hereinafter "Code").

23 V

24 Further, the crime of which Respondent was convicted,
25 as described above in Paragraph III, constitutes cause for
26 denial of her application for a real estate license under
27 Sections 475(a)(2), 480(a)(1) and 10177(b) of the Code.

VI

1 In response to Question 13, to wit: "HAVE YOU USED ANY
2 OTHER NAMES (i.e. Maiden names, aka's, etc.)?"

3 Respondent answered "Yes" and provided one additional name that
4 she has used, "Susan Lee." However, Respondent failed to
5 provide the name SUSAN LEE BRENNAN, the name under which she was
6 convicted as set forth above at Paragraph III.
7

VII

8 Respondent's failure to disclose the use of another
9 name as described above in Paragraph VI, in said application,
10 constitutes the procurement of a real estate license by
11 misrepresentation, fraud or deceit or by making a material
12 misstatement of fact and is cause for denial of issuance of a
13 license to an applicant under Sections 475(a)(1), 480(c) and
14 10177(a) of the Code.
15

16 IN AGGRAVATION OF THE ABOVE FACTS

VIII

17 Respondent's instant application to the Department,
18 for a license as a real estate broker, relies on the premise
19 that Respondent, although never licensed as a real estate
20 salesperson, is eligible based on acceptable equivalent work
21 experience under Code Section 10150.6. As part of said
22 application, Respondent submitted Real Estate Form Number 227
23 (Rev.2/98), stating that she had been continuously employed, on
24 a full time basis, from July 1995 to the present [November
25 1999], as an apartment building manager.
26
27

1 Thereafter, on August 21, 2001, Respondent was
2 interviewed by Deputy Real Estate Commissioner Csaba Toth about
3 the causes of action described above in Paragraphs II through
4 VII. As part of said interview, Respondent filled out Real
5 Estate Form Number 515. Question "9" of said form directed
6 Respondent to list all jobs held during the past 5 years.
7 Respondent answered that she had been employed from 1981 to 1994
8 as a manager of Monte Carlo II, a restaurant/nightclub, making
9 no reference to her alleged experience as a property manager on
10 the questionnaire nor during her interview with Deputy Toth.

11 The Statement of Issues is brought under the
12 provisions of Section 10100, Division 4 of the Business and
13 Professions Code of the State of California and Sections 11500
14 through 11528 of the Government Code.

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1 WHEREFORE, the Complainant prays that the above-
2 entitled matter be set for hearing and, upon proof of the
3 charges contained herein, that the Commissioner refuse to
4 authorize the issuance of, and deny the issuance of a real
5 estate broker license to Respondent, LEE WONG, and for such
6 other and further relief as may be proper in the premises.

7 Dated at Los Angeles, California

8 this *27* day of March, 2002.

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11 
12 _____
13 DEPUTY REAL ESTATE COMMISSIONER
14
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24 cc: Lee Wong
25 David Shane, Attorney at Law
26 Janice Waddell
27 SACTO
CT