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FILED
APR 10 2003
DEPARTMENT OF REAL ESTATE

K. W. Reddish

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of) No. H-29991 LA
JOE L. DU,)
Respondent.)

ORDER OF DISMISSAL

On March 21, 2003, Respondent JOE L. DU withdrew his application for a real estate salesperson license. The Statement of Issues herein filed against JOE L. DU is DISMISSED.

IT IS SO ORDERED this 2nd day of April, 2003.

PAULA REDDISH ZINNEMANN
Real Estate Commissioner

Paula Reddish

Handwritten: Mac's Log

1 ELLIOTT MAC LENNAN, SBN 66674
2 Department of Real Estate
3 320 West 4th Street, Ste. 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6911 (direct)
6 -or- (213) 576-6982 (office)
7

FILED
MAR 10 2003
DEPARTMENT OF REAL ESTATE
By: *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)	No. H-29991 LA
12 JOE L. DU,)	<u>STATEMENT OF ISSUES</u>
13 Respondent.)	
14)	

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California, for Statement of Issues
17 against JOE L. DU aka Thinh Lien Du aka Joetinh Du aka Joetinh
18 Lien Du, (respondent) is informed and alleges in her official
19 capacity as follows:

20 1.

21 Respondent made application to the Department of Real
22 Estate of the State of California for a real estate salesperson
23 license on or about November 26, 2001.

24 2.

25 In response to Question 25 of said license application,
26 to wit: "Have you ever been convicted of any violation of law?
27

1 Convictions expunged under Penal code Section 1203.4 must be
2 disclosed. However, you may omit minor traffic citations which
3 do not constitute a misdemeanor or felony offense." Respondent
4 checked the box denoting "No". Respondent failed to disclose the
5 conviction set forth below. In addition, in response to Question
6 18 of said license application to wit, "Have you used any other
7 names (i.e. Maiden Name, AKA's Etc.,?") Respondent checked the
8 box denoting "No" and failed to disclose the names set forth
9 above.

10 3.

11 On October 28, 1994, in the Superior/Municipal Court of
12 California, County of Yolo, respondent was convicted on a plea of
13 nolo contendere to violating one count of Penal Code Section 459
14 (burglary), a felony crime. This crime by its facts and
15 circumstances involves moral turpitude and is substantially
16 related under Section 2910(a) of Title 10, Chapter 6, of the
17 California Code of Regulations, to the qualifications, functions
18 or duties of a real estate licensee. On February 9, 1998, this
19 felony was reduced to a misdemeanor and dismissed pursuant to
20 Penal Code Sections 17(b) and 1203.4.

22 4.

23 Respondent's failure to reveal the conviction and the
24 "AKA's" in his application that are set forth in the preamble
25 above, constitutes an attempt to procure a real estate license by
26 fraud, misrepresentation or deceit or by making a material
27

1 misstatement of fact on his application, which is cause for
2 denial of respondent's application for a real estate
3 salesperson's license under Code Sections 475(a), 480(c) and
4 10177(a).

5 5.

6 The crime set forth above constitutes cause for denial
7 of respondent's application for a real estate license under
8 Sections 480(a) and 10177(b) of the Code.

9 These proceedings are brought under the provisions of
10 Section 10100, Division 4 of the Business and Professions Code of
11 the State of California and Sections 11500 through 11528 of the
12 Government Code of the State of California.

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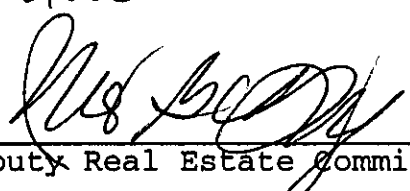
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1 WHEREFORE, Complainant prays that the above-entitled
2 matter be set for hearing and, that upon proof of the charges
3 contained herein, that the Commissioner refuse to authorize the
4 issuance of, and deny the issuance of, a real estate salesperson
5 license to Respondent JOE L. DU and for such other and further
6 relief as may be proper under other applicable provisions of law.

7 Dated at Los Angeles, California

8 this *24th* day of *February* 2003.

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10 
11 Deputy Real Estate Commissioner
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24 cc: Joe L. Du
25 Brad Helman
26 Sacto
27 Maria Suarez
LAW