

1 NOW, THEREFORE, IT IS ORDERED under authority of the
2 Order issued in this matter that the real estate salesperson
3 license heretofore issued to Respondent and the exercise of any
4 privileges thereunder is hereby suspended until such time as you
5 provide proof satisfactory to the Department of compliance with
6 the "condition" referred to above, or pending final determination
7 made after hearing (see "Hearing Rights" set forth below).

8 IT IS FURTHER ORDERED that all license certificates and
9 identification cards issued by Department which are in the
10 possession of Respondent be immediately surrendered by personal
11 delivery or by mailing in the enclosed, self-addressed envelope
12 to:

13 DEPARTMENT OF REAL ESTATE
14 ATTN: FLAG SECTION
15 P. O. Box 187000
16 Sacramento, CA 95818-7000

17 HEARING RIGHTS: You have the right to a hearing to
18 contest the Commissioner's determination that you are in
19 violation of the Order issued in this matter. If you desire a
20 hearing, you must submit a written request. The request may be
21 in any form, as long as it is in writing and indicates that you
22 want a hearing. Unless a written request for a hearing, signed
23 by or on behalf of you, is delivered or mailed to the Department
24 at 2201 Broadway, P. O. Box 187000, Sacramento, California 95818-
25 7000, within 20 days after the date that this Order was mailed to
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1 or served on you, the Department will not be obligated or
2 required to provide you with a hearing.

3 This Order shall be effective immediately.

4 DATED: 5/17/11

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6 Real Estate Commissioner

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Department of Real Estate
320 West 4th Street, Ste. 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982

FILED

MAR 29 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)
CORPORATE FINANCIAL, INC. doing)
business as NuQuest Lending;)
Orange Home Realty and CECILIA)
MINH HOANG, individually and as)
designated officer of Corporate)
Financial, Inc.)
Respondent.)

No. H-36148 LA
L-2009091509
STIPULATION
AND
AGREEMENT

It is hereby stipulated by and between Respondent
CECILIA MINH HOANG (sometimes referred to as (Respondent),
represented by Frank Buda, Esq., and the Complainant, acting by
and through Elliott Mac Lennan, Counsel for the Department of
Real Estate, as follows for the purpose of settling and disposing
of the Accusation (Accusation) filed on July 30, 2009, in this
matter:

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

8 2. Respondent has received, read and understands the
9 Statement to Respondent, the Discovery Provisions of the APA and
10 the Accusation filed by the Department of Real Estate in this
11 proceeding.

12 3. Respondent timely filed a Notice of Defense
13 pursuant to Section 11506 of the Government Code for the purpose
14 of requesting a hearing on the allegations in the Accusation.
15 Respondent hereby freely and voluntarily withdraws said Notice of
16 Defense. Respondent acknowledges that Respondent understands
17 that by withdrawing said Notice of Defense, Respondent thereby
18 waives Respondent's right to require the Commissioner to prove
19 the allegations in the Accusation at a contested hearing held in
20 accordance with the provisions of the APA and that Respondent
21 will waive other rights afforded to Respondent in connection with
22 the hearing such as the right to present evidence in Respondent's
23 defense the right to cross-examine witnesses.
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1 4. This Stipulation is based on the factual
2 allegations contained in the Accusation. In the interest of
3 expedience and economy, Respondent chooses not to contest these
4 allegations, but to remain silent and understands that, as a
5 result thereof, these factual allegations, without being admitted
6 or denied, will serve as a prima facie basis for the disciplinary
7 action stipulated to herein. The Real Estate Commissioner shall
8 not be required to provide further evidence to prove said factual
9 allegations.

10 5. This Stipulation is made for the purpose of
11 reaching an agreed disposition of this proceeding and is
12 expressly limited to this proceeding and any other proceeding or
13 case in which the Department of Real Estate ("Department"), the
14 state or federal government, or any agency of this state, another
15 state or federal government is involved, and otherwise shall not
16 be admissible in any other criminal or civil proceedings.

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

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2 7. The Order or any subsequent Order of the Real
3 Estate Commissioner made pursuant to this Stipulation shall not
4 constitute an estoppel, merger or bar to any further
5 administrative or civil proceedings by the Department of Real
6 Estate with respect to any matters which were not specifically
7 alleged to be causes for Accusation in this proceeding but do
8 constitute a bar, estoppel and merger as to any allegations
9 actually contained in the Accusations against Respondent herein.

10 8. Respondents understand that by agreeing to this
11 Stipulation, Respondents agree to pay, pursuant to Business and
12 Professions Code Section 10148, the cost of the audit. The
13 amount of said cost for the original audit is \$6,612.75.

14 9. Respondents have received, read, and understand the
15 "Notice Concerning Costs of Subsequent Audit". Respondents
16 further understand that by agreeing to this Stipulation, the
17 findings set forth below in the Determination of Issues become
18 final, and the Commissioner may charge Respondents for the cost
19 of any subsequent audit conducted pursuant to Business and
20 Professions Code Section 10148 to determine if the violations
21 have been corrected. The maximum cost of the follow-up audit
22 will not exceed \$6,612.75.

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DETERMINATION OF ISSUES

1 By reason of the foregoing, it is stipulated and agreed
2 that the following determination of issues shall be made:
3

4 The conduct of CECILIA MINH HOANG, as described in
5 Paragraph 4, above, is in violation of Business and Professions
6 Code Section 10145, and Section 2832(d), Title 10, California
7 Code of Regulations ("Regulations"), and is a basis for
8 discipline of Respondent's license and license rights as
9 violations of the Real Estate Law there under Code Section
10 10177(d).

ORDER

11 WHEREFORE, THE FOLLOWING ORDER is hereby made:
12

13 I. All licenses and licensing rights of Respondent
14 CECILIA MINH HOANG, under the Real Estate Law are suspended for a
15 period of sixty (60) days from the effective date of this
16 Decision.

17 A. Provided, however, that if Respondent requests, the
18 initial thirty (30) days of said suspension (or a portion
19 thereof) shall be stayed for two (2) years upon condition that:

20 1. Respondent pays a monetary penalty pursuant to
21 Section 10175.2 of the Business and Professions Code at the rate
22 of \$166.66 per day for each day of the suspension for a total
23 monetary penalty of \$5,000.

24 2. Said payment shall be in the form of a cashier's
25 check or certified check made payable to the Recovery Account of
26

1 the Real Estate Fund. Said check must be received by the
2 Department prior to the effective date of the Decision in this
3 matter.

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

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

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

19 B. The remaining thirty (30) days of the sixty (60)
20 day suspension shall be stayed for two (2) years upon the
21 following terms and conditions:

22 1. Respondent shall obey all laws, rules and
23 regulations governing the rights, duties and responsibilities of
24 a real estate licensee in the State of California; and
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26 2. That no final subsequent determination be made
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1 after hearing or upon stipulation, that cause for disciplinary
2 action occurred within two (2) years from the effective date of
3 this Decision. Should such a determination be made, the
4 Commissioner may, in his discretion, vacate and set aside the
5 stay order and reimpose all or a portion of the stayed
6 suspension. Should no such determination be made, the stay
7 imposed herein shall become permanent.

8 II. Pursuant to Section 10148 of the Business and
9 Professions Code, Respondent CECILIA MINH HOANG, shall pay the
10 Commissioner's reasonable cost for (a) the audit which led to
11 this disciplinary action (b) a subsequent audit to determine if
12 Respondents are now in compliance with the Real Estate Law. The
13 cost of the original and subsequent audits which led to this
14 disciplinary action is \$6,612.75. In calculating the amount of
15 the Commissioner's reasonable cost, the Commissioner may use the
16 estimated average hourly salary for all persons performing audits
17 of real estate brokers, and shall include an allocation for
18 travel time to and from the auditor's place of work. Said amount
19 for the prior and subsequent audits shall not exceed \$13,225.50.

21 Respondents shall pay such cost within 60 days of
22 receiving an invoice from the Commissioner detailing the
23 activities performed during the audit and the amount of time
24 spent performing those activities.

25 The Commissioner may suspend the license of
26 Respondents pending a hearing held in accordance with Section
27 11500, et seq., of the Government Code, if payment is not timely

1 made as provided for herein, or as provided for in a subsequent
2 agreement between the Respondent and the Commissioner. The
3 suspension shall remain in effect until payment is made in full
4 or until Respondents enter into an agreement satisfactory to the
5 Commissioner to provide for payment, or until a decision
6 providing otherwise is adopted following a hearing held pursuant
7 to this condition.

8 III. All licenses and licensing rights of Respondent
9 CELILIA MINH HOANG are indefinitely suspended unless or until
10 Respondent provides proof satisfactory to the Commissioner, of
11 having taken and successfully completed the continuing education
12 course on trust fund accounting and handling specified in
13 paragraph (3) of subdivision (a) of Section 10170.5 of the
14 Business and Professions Code. Proof of satisfaction of this
15 requirement includes evidence that Respondent has successfully
16 completed the trust fund account and handling continuing
17 education course within 120 days prior to the effective date of
18 the Decision.

19 IV. Respondent CELILIA MINH HOANG shall within six (6)
20 months from the effective date of the Decision herein, take and
21 pass the Professional Responsibility Examination administered by
22 the Department including the payment of the appropriate
23 examination fee. If Respondent fails to satisfy this condition,
24 the Commissioner may order suspension of Respondent's license
25 until Respondent passes the examination.

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1 V. Respondent CELILIA MINH HOANG shall, within nine
2 (9) months from the effective date of this Decision, present
3 evidence satisfactory to the Real Estate Commissioner that
4 Respondent has, since the most recent issuance of an original or
5 renewal real estate license, taken and successfully completed the
6 continuing education requirements of Article 2.5 of Chapter 3 of
7 the Real Estate Law for renewal of a real estate license. If
8 Respondent fails to satisfy this condition, the Commissioner may
9 order the suspension of Respondent's license until Respondent
10 presents such evidence. The Commissioner shall afford Respondent
11 the opportunity for a hearing pursuant to the Administrative
12 Procedure Act to present such evidence.

13
14 DATED: 2-23-10

EJL
ELLIOTT MAC LENNAN, Counsel for
the Department of Real Estate

16 * * *

17 EXECUTION OF THE STIPULATION

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

4 MAILING AND FACSIMILE

5 Respondent (1) shall mail the original signed signature
6 page of the stipulation herein to Elliott Mac Lennan: Attention:
7 Legal Section, Department of Real Estate, 320 W. Fourth St.,
8 Suite 350, Los Angeles, California 90013-1105. Additionally,
9 Respondent shall also (2) facsimile a copy of signed signature
10 page, to the Department at the following telephone/fax number:
11 (213) 576-6917, Attention: Elliott Mac Lennan. A facsimile
12 constitutes acceptance and approval of the terms and conditions
13 of this stipulation.

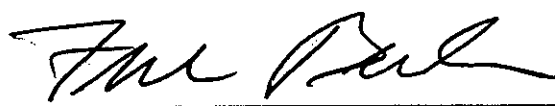
14 Respondent agrees, acknowledges and understands that by
15 electronically sending to the Department a facsimile copy of
16 Respondent's actual signature as it appears on the stipulation
17 that receipt of the facsimile copy by the Department shall be as
18 binding on Respondent as if the Department had received the
19 original signed stipulation.
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22 DATED: 2.5.10



CELILIA MINH HOANG, Respondent

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25 DATED: 2-18-10



FRANK BUDA, Attorney for
CELILIA MINH HOANG, Respondent
Approved as to form

1 IT IS HEREBY ORDERED that Respondent CORPORATE
2 FINANCIAL INC.'s petition for voluntary surrender of its real
3 estate broker license rights is accepted as of the effective date
4 of this Order as set forth below, based upon the understanding
5 and agreement expressed in Respondent's Declaration dated
6 February 5, 2010, (attached as Exhibit "A" hereto). Respondent's
7 license certificate, pocket card and any branch office license
8 certificate shall be sent to the below listed address so that
9 they reach the Department on or before the effective date of this
10 Order:

11
12 Department of Real Estate
13 Atten: Licensing Flag Section
14 P.O. Box 187000
15 Sacramento, CA 95818-7000

16 This Order shall become effective at 12 o'clock noon on

17 April 19, 2010

18 DATED: 4/20, 2010

19 JEFF DAVIS
20 Real Estate Commissioner
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1 In lieu of proceeding in this matter in accordance with
2 the provisions of the Administrative Procedures Act (Sections
3 11400 et seq., of the Government Code) CORPORATE FINANCIAL INC.
4 wishes to voluntarily surrender its real estate license issued by
5 the Department of Real Estate ("Department"), pursuant to
6 Business and Professions Code Section 10100.2.


7 I understand that CORPORATE FINANCIAL INC. by so
8 voluntarily surrendering its license, can only have it reinstated
9 in accordance with the provisions of Section 11522 of the
10 Government Code. I also understand that by so voluntarily
11 surrendering its license rights, CORPORATE FINANCIAL INC. agrees
12 to the following:

13 The filing of this Declaration shall be deemed as its
14 petition for voluntary surrender. It shall also be deemed to be
15 an understanding and agreement by CORPORATE FINANCIAL INC. that,
16 it waives all rights it has to require the Commissioner to prove
17 the allegations contained in the Accusation ("Accusation") filed
18 in this matter at a hearing held in accordance with the
19 provisions of the Administrative Procedures Act (Government Code
20 Sections 11400 et seq.), and that it also waives other rights
21 afforded to it in connection with the hearing such as the right
22 to discovery, the right to present evidence in defense of the
23 allegations in the Accusation and the right to cross examine
24 witnesses. I further agree on behalf of CORPORATE FINANCIAL INC.
25 that upon acceptance by the Commissioner, as evidenced by an
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1 appropriate order, all affidavits and all relevant evidence
2 obtained by the Department in this matter prior to the
3 Commissioner's acceptance, and all allegations contained in the
4 Accusation filed in the Department Case No. H-36148 LA, may be
5 considered by the Department to be true and correct for the
6 purpose of deciding whether or not to grant reinstatement of
7 CORPORATE FINANCIAL INC.'s license pursuant to Government Code
8 Section 11522.

9 I declare under penalty of perjury under the laws of
10 the State of California that the above is true and correct and
11 that I am acting freely and voluntarily on behalf of CORPORATE
12 FINANCIAL INC. to surrender its license and all license rights
13 attached thereto.
14

15 2.17. _____, 2010
16 Date and Place

17 
18 CORPORATE FINANCIAL INC.
19 BY: CECILIA MINH HOANG,
20 Chief Executive Officer
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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)

FILED

JUL 30 2009

DEPARTMENT OF REAL ESTATE
BY: *H. Trujillo*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

<p>11 In the Matter of the Accusation of)</p> <p>12)</p> <p>13 CORPORATE FINANCIAL INC. doing)</p> <p>14 business as NuQuest Lending;)</p> <p>15 Orange Home Realty)</p> <p>16 and CECILIA MINH HOANG,)</p> <p>17 individually and as designated)</p> <p>18 officer of Corporate Financial Inc.,)</p> <p>19 Respondents.)</p>	<p>No. H-36148 LA</p> <p><u>A C C U S A T I O N</u></p>
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19 The Complainant, Robin Trujillo, a Deputy Real Estate
20 Commissioner of the State of California, for cause of Accusation
21 against CORPORATE FINANCIAL INC. dba Orange Home Realty and
22 NuQuest and CECILIA MINH HOANG, individually and as designated
23 officer of Corporate Financial Inc., alleges as follows:

24 1.

25 The Complainant, Robin Trujillo, acting in her official
26 capacity as a Deputy Real Estate Commissioner of the State of

1 California, makes this Accusation against CORPORATE FINANCIAL
2 INC. (CFI) and CECILIA MINH HOANG (HOANG).

3 2.

4 All references to the "Code" are to the California
5 Business and Professions Code and all references to "Regulations"
6 are to Title 10, Chapter 6, California Code of Regulations.

7 3.

8 A. At all times mentioned, CFI and HOANG were licensed
9 or had license rights issued by the Department of Real Estate
10 (Department) as real estate brokers.

11 B. At all times material herein, CFI was licensed by
12 the Department as a corporate restricted real estate broker by
13 and through HOANG, pursuant to Code Sections 10211 and 10159.2
14 for supervising the activities requiring a real estate license
15 conducted on behalf of CFI.

16 C. HOANG is the corporate President, Treasurer, and
17 Secretary of CFI and owns 100% of CFI's stock.

18 Brokerage

19 4.

20 At all times mentioned, in the City and County of
21 Orange, CFI and HOANG acted as real estate brokers and conducted
22 licensed activities within the meaning of:

23 A. Code Section 10131(a). Respondent's dba Orange
24 Home Realty engaged in the business of, acted in the capacity of,
25 advertised or assumed to act as a real estate broker, including
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1 the solicitation for listings of and the negotiation of the sale
2 of real property as the agent of others.

3 B. Code Section 10131(d). CFI operated a mortgage and
4 loan brokerage dba NuQuest Lending, engaging in activities with
5 the public wherein lenders and borrowers were solicited for loans
6 secured directly or collaterally by liens on real property,
7 wherein such loans were arranged, negotiated, processed and
8 consummated on behalf of others for compensation or in
9 expectation of compensation and for fees often collected in
10 advance as well as at the conclusion of transactions.

11 Audit

12 5.

13 On April 29, 2009, the Department completed an audit
14 examination of the books and records of CFI pertaining to the
15 resale and mortgage loan activities described in Paragraph 4 that
16 require a real estate license. The audit examination covered a
17 period of time beginning on July 1, 2006 to January 31, 2009.
18 The audit examination revealed violations of the Code and the
19 Regulations as set forth in the following paragraphs, and more
20 fully discussed in Audit Report LA 080186 and 080225 and the
21 exhibits and work papers attached to said audit report.

22 Trust Account

23 6.

24 During the audit period no trust account was maintained
25 for CFI's real estate and mortgage loan activities.
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1 Section 10176(a) and/or 10177(g).

2 (e) Commingled trust funds in the form of credit
3 reports and appraisal fees from escrow companies for borrowers
4 Mamerto Capil and John Ciampoli by depositing them into CFI's
5 general account instead of depositing them into a trust account
6 designated for that purpose in the name of the broker as trustee
7 at a bank or other financial institution, in violation of Code
8 Sections 10145 and 10176(e) and Regulation 2832(a).

9 (f)(1) (b)(1) Failed to maintain a true and correct
10 copy of a Department of Real Estate approved Mortgage Loan
11 Disclosure Statement signed by the broker for borrowers Mamerto
12 Capil, John Ciampoli, Luan Phan, Ana Basham, Felice Burns, and
13 Khan Quoc Hoang, in violation of Code Section 10240; and

14 (f)(2) Failed to provide or retain a true and correct
15 copy of a Good Faith Estimate that satisfies the requirements of
16 the Real Estate Settlement Procedures Act of 1974 (12 U.S.C.A
17 2601 et seq.), that (1) sets forth the broker's real estate
18 license number; and (2) a clear and conspicuous statement on the
19 face of the document stating that the Good Faith Estimate does
20 not constitute a loan commitment; and, further sets forth all
21 applicable disclosures including but not limited to (3) yield
22 spread premiums rebates by the lender for borrowers Mamerto
23 Capil, John Ciampoli, Luan Phan, Ana Basham, Felice Burns, and
24 Khan Quoc Hoang, in violation of Code Section 10240(c).

25 (g) Used the fictitious name "Orange Lending" to
26 conduct licensed activities, without holding a license bearing
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1 the fictitious business names, in violation of Code Section
2 10159.5 and Regulation 2731.

3 (h) Failed to notify the Department of the termination
4 of salesperson Mandi Marie Longo, in violation of Code Section
5 10161.8 and Regulation 2752.

6 (i) Failed to notify the Department of the change of
7 CFI's main office, in violation of Code Section 10162 and
8 Regulation 2715.

9 DISCIPLINARY STATUES AND REGULATIONS

10 8.

11 The conduct of Respondents CFI and, as alleged and
12 described in Paragraph 7, above, violated the Code and the
13 Regulations as set forth below:
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PARAGRAPH	PROVISIONS VIOLATED
7(a)	Code Section 10145 and Regulation 2831
7(b)	Code Section 10145 Regulation 2831.1
7(c)	Code Section 10145 Regulation 2832(d)
7(d)	Code Sections 10176(a) and/or 10177(g)
7(e)	Code Sections 10145 and 10176(e) and Regulation 2832(a)

1 license and license rights of CFI and HOANG, under the provisions
2 of Code Sections 10176(a), 10176(i) 10137, 10177(d) and/or
3 10177(g).

4 Negligence

5 11.

6 The overall conduct of Respondents CFI and HOANG
7 constitutes negligence or incompetence. This conduct and
8 violation are cause for the suspension or revocation of the real
9 estate license and license rights of Respondents CFI and HOANG
10 pursuant to Code Section 10177(g).

11 Supervision

12 12.

13 The overall conduct of Respondent HOANG constitutes a
14 failure on Respondent's part, as officer designated by a
15 corporate broker licensee, to exercise the reasonable supervision
16 and control over the licensed activities of CFI as required by
17 Code Section 10159.2, and to keep CFI in compliance with the Real
18 Estate Law, and is cause for the suspension or revocation of the
19 real estate license and license rights of HOANG pursuant to the
20 provisions of Code Section 10177(h).

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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against the license and license rights of Respondents
5 CORPORATE FINANCIAL INC. and CECILIA MINH HOANG, under the Real
6 Estate Law (Part 1 of Division 4 of the Business and Professions
7 Code) and for such other and further relief as may be proper
8 under other applicable provisions of law.

9 Dated at Los Angeles, California

10 this *22 day of July 2009.* 
11 Deputy Real Estate Commissioner

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24 cc: Corporate Financial Inc.
25 c/o Cecilia Minh Hoang D.O.
26 Robin Trujillo
27 Sacto
Audits - Isabel Beltran