

1 Department of Real Estate
2 320 West Fourth Street, #350
3 Los Angeles, California 90013

4 (213) 576-6982
5 (213) 576-6914

FILED

APR 21 2010

DEPARTMENT OF REAL ESTATE
BY: C. [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-36317 LA
12) L-2009120208
13)
14) STIPULATION AND AGREEMENT
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Respondent.

15 It is hereby stipulated by and between PATTY CHANG
16 FONG (hereinafter "Respondent") and her attorney, Jonathan K.
17 Golden, and the Complainant, acting by and through Lissete
18 Garcia, Counsel for the Department of Real Estate, as follows
19 for the purpose of settling and disposing of the Accusation
20 filed on October 23, 2009, 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 a formal hearing on the Accusation, which hearing was to be
24 held in accordance with the provisions of the Administrative
25 Procedure Act (APA), shall instead and in place thereof be
26 submitted solely on the basis of the provisions of this
27

1 Stipulation and Agreement.

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

6 3. On November 2, 2009, Respondent filed a Notice of
7 Defense pursuant to Section 11506 of the Government Code for the
8 purpose of requesting a hearing on the allegations in the
9 Accusation. Respondent hereby freely and voluntarily withdraws
10 said Notice of Defense. Respondent acknowledges that she
11 understands that by withdrawing said Notice of Defense she will
12 thereby waive her right to require the Commissioner to prove the
13 allegations in the Accusation at a contested hearing held in
14 accordance with the provisions of the APA and that she will
15 waive other rights afforded to her in connection with the
16 hearing such as the right to present evidence in defense of the
17 allegations in the Accusation and the right to cross-examine
18 witnesses.

19 4. Respondent, pursuant to the limitations set forth
20 below, hereby admits that the factual allegations of the
21 Accusation filed in this proceeding are true and correct and the
22 Real Estate Commissioner shall not be required to provide
23 further evidence of such allegations.

24 5. It is understood by the parties that the Real
25 Estate Commissioner may adopt the Stipulation and Agreement as
26 his Decision in this matter, thereby imposing the penalty and
27 sanctions on Respondent's real estate license and license rights

1 as set forth in the below "Order". In the event that the
2 Commissioner in his discretion does not adopt the Stipulation
3 and Agreement, it shall be void and of no effect, and Respondent
4 shall retain the right to a hearing and proceeding on the
5 Accusation under all the provisions of the APA and shall not be
6 bound by any admission or waiver made herein.

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

14 DETERMINATION OF ISSUES

15 By reason of the foregoing stipulations, admissions
16 and waivers and solely for the purpose of settlement of the
17 pending Accusation without a hearing, it is stipulated and
18 agreed that the following determination of issues shall be made:

19 The conduct of Respondent, as set forth in the
20 Accusation constitutes grounds for suspension or revocation of
21 Respondent's real estate broker license under the provisions of
22 Sections 490 and 10177(b) of the Business and Professions Code.

23 ORDER

24 WHEREFORE, THE FOLLOWING ORDER is hereby made:

25 All licenses and licensing rights of Respondent PATTY
26 CHANG FONG, under the Real Estate Law are revoked; provided,
27 however, a restricted real estate broker license shall be issued

1 to Respondent pursuant to Section 10156.5 of the Business and
2 Professions Code if Respondent makes application therefor and
3 pays to the Department of Real Estate the appropriate fee for
4 the restricted license within 90 days from the effective date of
5 this Decision. The restricted license issued to Respondent
6 shall be subject to all of the provisions of Section 10156.7 of
7 the Business and Professions Code and to the following
8 limitations, conditions and restrictions imposed under authority
9 of that Code:

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

15 2. The restricted license issued to Respondent may be
16 suspended prior to hearing by Order of the Real Estate
17 Commissioner on evidence satisfactory to the Commissioner that
18 Respondent has violated provisions of the California Real Estate
19 Law, the Subdivided Lands Law, Regulations of the Real Estate
20 Commissioner, or conditions attaching to this restricted
21 license.

22 3. Respondent shall not be eligible to apply for the
23 issuance of an unrestricted real estate license nor for the
24 removal of any of the conditions, limitations or restrictions
25 of a restricted license until three (3) years have elapsed from
26 the date of issuance of the restricted license to Respondent.

27 4. Respondent shall, within nine months from the

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

12 DATED: 3/16/10


13 LISSETE GARCIA Counsel for Complainant

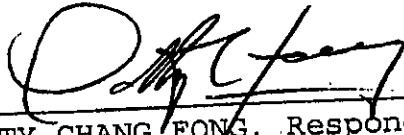
14 * * *

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

26 Respondent can signify acceptance and approval of the
27 terms and conditions of this Stipulation and Agreement by faxing

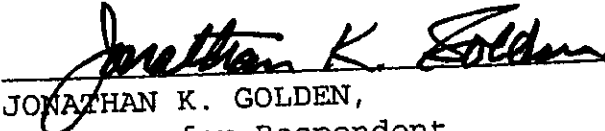
1 a copy of the signature page, as actually signed by Respondent,
2 to the Department at fax number (213) 576-6917. Respondent
3 agrees, acknowledges and understands that by electronically
4 sending to the Department a fax copy of her actual signature as
5 it appears on the Stipulation and Agreement, that receipt of the
6 faxed copy by the Department shall be as binding on Respondent
7 as if the Department had received the original signed
8 Stipulation and Agreement.

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10 DATED: 3/9/2010


PATTY CHANG FONG, Respondent

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

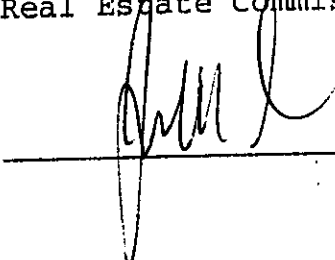
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14 DATED: 3/5/10


JONATHAN K. GOLDEN,
Attorney for Respondent

16 * * *

17
18 The foregoing Stipulation and Agreement is hereby
19 adopted as my Decision in this matter and shall become effective
20 at 12 o'clock noon on May 11, 2010.

21 IT IS SO ORDERED

3/29/2010
22
23 JEFF DAVI
Real Estate Commissioner
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1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6914

FILED
OCT 23 2009
DEPARTMENT OF REAL ESTATE

By C.R.

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 In the Matter of the Accusation of) NO. H-36317 LA
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Respondent.

15 The Complainant, Maria Suarez, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against PATTY CHANG FONG ("Respondent"), is informed and alleges
18 as follows:

19 I

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

23 II

24 At all times herein mentioned, Respondent was and
25 still is licensed and/or has license rights under the Real
26 Estate Law (Part 1 of Division 4 of the California Business and
27 Professions Code) ("Code") as a real estate broker. Respondent
28 was first licensed as a real estate broker on July 14, 2001.

1 III

2 On or about July 22, 2008, in the Superior Court of
3 California, Los Angeles County, in Case No. BA320335, Respondent
4 was convicted, on a plea of guilty, of violating one count of
5 Business and Professions Code Section 6152(a)(1) (unlawfully act
6 as runner or capper for attorney), a misdemeanor. Said crime
7 bears a substantial relationship to the qualifications,
8 functions or duties of a real estate licensee under Section
9 2910, Title 10, Chapter 6, California Code of Regulations.

10 IV

11 The crime of which Respondent was convicted, as
12 alleged in Paragraph III above, constitutes cause under Code
13 Sections 490 and 10177(b) for the suspension or revocation of
14 all licenses and license rights of Respondent under the Real
15 Estate Law.

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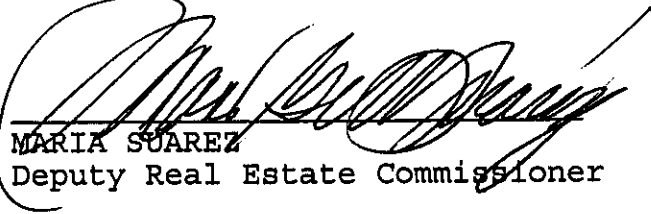
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1 WHEREFORE, Complainant prays that a hearing be
2 conducted on the allegations of this Accusation and that upon
3 proof thereof, a decision be rendered imposing disciplinary
4 action against all licenses and/or license rights of Respondent,
5 PATTY CHANG FONG, under the Real Estate Law (Part 1 of Division
6 4 of the Business and Professions Code) and for such other and
7 further relief as may be proper under other applicable
8 provisions of law.

9 Dated at Los Angeles, California

10 this 21st day of October, 2009.

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14 MARIA SUAREZ
15 Deputy Real Estate Commissioner
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24 cc: Patty Chang Fong
25 Maria Suarez
26 Sacto.
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