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**FILED**

JUL 11 2012

DEPARTMENT OF REAL ESTATE  
BY: K. Decker

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- 38251 LA  
12 BENNY LE HUYNH, )  
13 Respondent. )  
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The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, acting in her official capacity, for cause of Accusation against BENNY LE HUYNH aka Kim Bank Le Huynh aka Kimbang Le Huynh, ("Respondent") alleges as follows:

1.

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson.

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(CRIMINAL CONVICTION)

2.

On or about July 30, 2009, in the Superior Court of California, County of Orange, in Case No. 09CM03744, Respondent was convicted of violating Revenue & Taxation Code Section 30474(a) (Possession Cigarettes Without Tax Stamp), a misdemeanor. This crime is substantially related to the qualifications, functions or duties of a real estate licensee under Section 2910, Title 10, Chapter 6, California Code of Regulations.

3.

The crime of which Respondent was convicted, as described above, constitutes cause under Sections 490 and 10177(b) of the Business & Professions Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

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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 the licenses and license rights of  
5 Respondent, BENNY LE HUYNH, under the Real Estate Law (Part 1 of  
6 Division 4 of the Business and Professions Code) and for such  
7 other and further relief as may be proper under other applicable  
8 provisions of law.

9           Dated at Los Angeles, California: July, 2012

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13 Maria Suarez  
14 Deputy Real Estate Commissioner  
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25 cc: Benny Le Huynh  
26 Thomas Dao  
27 Maria Suarez  
Sacto.