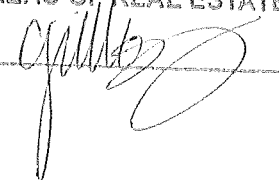


FILED

JAN 26 2016

BUREAU OF REAL ESTATE

By



JUDITH B. VASAN, Counsel (SBN 278115)
Bureau of Real Estate
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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-39918 LA
)	
TOM SWE OO,)	<u>FIRST AMENDED</u>
)	<u>ACCUSATION</u>
)	
Respondent.)	
)	

This Accusation amends the Accusation filed on July 20, 2015. The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against TOM SWE OO ("Respondent"), alleges as follows:

1.

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

Respondent presently 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 broker.

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First Amended Accusation of Tom Swe Oo

(CRIMINAL CONVICTIONS)

3.

On or about September 30, 2014, in the Superior Court of California, County of Los Angeles, Case No. 4DY05851, Respondent pled *nolo contendere* to and was convicted for violation of California Business and Professions Code Section 23300 (unlicensed activity), a misdemeanor. Respondent was placed on 3 years of probation and ordered to perform 80 hours of community service and to pay fines and fees. This conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

4.

On or about March 26, 2014, in the Superior Court of California, County of Los Angeles, Case No. 3DY03967, Respondent pled *nolo contendere* to and was convicted for violation of California Penal Code Section 664-496(a) (receiving stolen property), a misdemeanor. Respondent was placed on 3 years of probation and ordered to serve 40 days in jail and to pay fines and fees. This conviction bears a substantial relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications, functions or duties of a real estate licensee.

5.

The crimes of which Respondent was convicted, as described in Paragraphs 3 and 4 above, constitute cause under Sections 490 and 10177(b) of the Code for the suspension or revocation of the license and license rights of Respondent under the Real Estate Law.

(FAILURE TO REVEAL CRIMINAL CONVICTIONS)

6.

On or about December 15, 2014, Respondent submitted a Broker Renewal Application. In response to Question 16 of his application, to wit: "WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU EVER BEEN CONVICTED

1 OF ANY VIOLATION OF THE LAW AT THE MISDEMEANOR OR FELONY LEVEL?"

2 Respondent answered "NO" and failed to reveal the criminal convictions described in
3 Paragraphs 3 and 4, above.

4 7.

5 Respondent's failure to reveal these criminal convictions in his Broker Renewal
6 Application constitutes knowingly making a false statement of material fact required to be
7 revealed in said application, which is grounds for revoking a license under California Business
8 and Professions Code sections 498 and 10177(a).

9 8.

10 California Business and Professions Code Section 10106, provides, in pertinent
11 part, that in any order issued in resolution of a disciplinary proceeding before the Bureau of
12 Real Estate, the Commissioner may request the administrative law judge to direct a licensee
13 found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
14 of the investigation and enforcement of the case.

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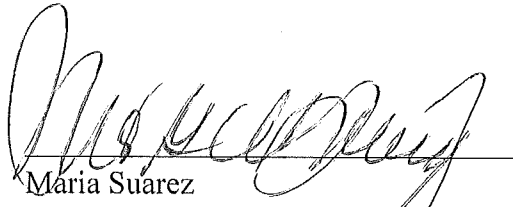
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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against all the licenses and license rights of Respondent TOM SWE OO under the Real Estate Law for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 26th day of January, 2016



Maria Suarez
Supervising Special Investigator

cc: TOM SWE OO
Maria Suarez
Sacto.