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FILED

MAY 17 2016

BUREAU OF REAL ESTATE

By *Carla Deloria*

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-40254 LA
	)	
D & P HOLDINGS INC, doing business	)	<u>A C C U S A T I O N</u>
as DK Realty & Mortgage, and	)	
DANNY BANH, individually and	)	
as former designated officer of	)	
D & P Holdings Inc,	)	
	)	
Respondents.	)	

The Complainant, Maria Suarez, a Supervising Special Investigator of the State of California, for cause of Accusation against D & P HOLDINGS INC, doing business as DK Realty & Mortgage, and DANNY BANH, individually and as former designated officer of D & P Holdings Inc, ("Respondents"), is informed and alleges as follows:

1.

The Complainant, Maria Suarez, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against D & P HOLDINGS INC and DANNY BANH.

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Accusation of D & P Holdings Inc and Danny Banh

1 2.

2 Respondent D & P HOLDINGS INC, doing business as DK Realty & Mortgage
3 ("D & P HOLDINGS"), presently has license rights under the Real Estate Law, Part 1 of
4 Division 4 of the California Business and Professions Code ("Code"), as a corporate real estate
5 broker. On January 8, 2016, D & P HOLDINGS's license expired. Pursuant to Code
6 Section 10201, Respondent retains renewal rights for two years. The Bureau of Real Estate
7 holds jurisdiction over the lapsed license, pursuant to Code Section 10103.

8 3.

9 Respondent DANNY BANH ("BANH") presently has license rights as a real
10 estate broker. BANH was the designated officer of D & P HOLDINGS until
11 D & P HOLDINGS's license expired on January 8, 2016.

12 FIRST CAUSE OF ACTION

13 (FAILURE TO MAINTAIN A PLACE OF BUSINESS)

14 4.

15 The current main office address maintained by Respondent D & P HOLDINGS
16 with the Bureau is 8232 Garvey Ave #205, Rosemead, CA 91770. Respondents do not
17 maintain an office at this address nor have Respondents informed the Real Estate
18 Commissioner of any new main office address for D & P HOLDINGS.

19 5.

20 A September 21, 2015, investigation revealed that Respondent
21 D & P HOLDINGS was not conducting business at the address set forth in Paragraph 4 above.
22 The failure to maintain a place of business for Respondent D & P HOLDINGS at that address is
23 in violation Code Section 10162 and Section 2715 of Title 10, Chapter 6, California Code of
24 Regulations.

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1 6.

2 The conduct, acts, or omissions of Respondents D & P HOLDINGS and BANH,
3 as described in Paragraphs 4 and 5 above, constitute cause for the suspension or revocation of
4 all real estate licenses and license rights of Respondents D & P HOLDINGS and BANH under
5 the provisions of Code Sections 10165, 10177(d), and/or 10177(g).

6 SECOND CAUSE OF ACTION

7 (LACK OF GOOD STANDING FOR CORPORATION)

8 7.

9 Respondent D & P HOLDINGS filed a Certificate of Dissolution with the
10 Secretary of State for the State of California on or about March 10, 2014. D & P HOLDINGS
11 remains dissolved to date.

12 8.

13 This lack of good standing of Respondent D & P HOLDINGS with the Secretary
14 of State for the State of California, as described in Paragraph 7 above, is in violation of Section
15 2742 of Title 10, Chapter 6, California Code of Regulations, and subjects its real estate license
16 and license rights to suspension or revocation pursuant to Code Sections 10177(d), 10177(f),
17 and/or 10177(g).

18 THIRD CAUSE OF ACTION

19 (FAILURE TO SUPERVISE)

20 9.

21 The conduct, acts, or omissions of Respondent BANH, as described in
22 Paragraphs 4 through 8 above, in failing to ensure compliance of the Real Estate Law by
23 Respondent D & P HOLDINGS, is in violation of Code Section 10159.2, and subjects his real
24 estate license and license rights to suspension or revocation pursuant to Code
25 Sections 10177(d), 10177(g) and/or 10177(h).

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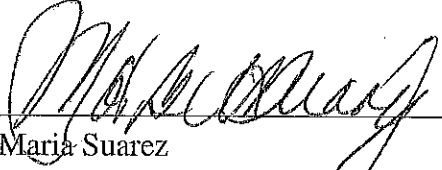
Accusation of D & P Holdings Inc and Danny Banh

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

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 Respondents D & P HOLDINGS INC and DANNY BANH, individually and as former designated officer of D & P Holdings Inc, 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 12th day of May, 2016.


Maria Suarez
Supervising Special Investigator

cc: D & P HOLDINGS INC
DANNY BANH
Maria Suarez
Sacto.