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**FILED**

**JUN 21 2016**

**BUREAU OF REAL ESTATE**

By *John [Signature]*

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6  
7 BEFORE THE BUREAU OF REAL ESTATE

8 STATE OF CALIFORNIA

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10 In the Matter of the Accusation of ) CalBRE No. H-40291 LA  
11 )  
12 JOE LAM, ) ACCUSATION  
13 Respondent. )

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15 The Complainant, Maria Suarez, a Supervising Special Investigator for the Bureau of  
16 Real Estate ("Bureau") of the State of California, for cause of Accusation against JOE LAM aka  
17 Chau Ngoc Lam and Chau N. Lam ("Respondent"), is informed and alleges as follows:

18 1.

19 The Complainant, Maria Suarez, a Supervising Special Investigator, makes this  
20 Accusation in her official capacity.

21 2.

22 From November 25, 1997, through the present, Respondent has been licensed under the  
23 Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code  
24 ("Code")) as a real estate broker, License ID 01169833. Respondent was previously licensed as

1 a real estate salesperson from November 12, 1993 through November 24, 1997.

2 3.

3 On September 7, 2013, Respondent submitted a broker renewal application to the  
4 Bureau. Respondent answered "no" in response to Question 6 of said application, to wit:  
5 "WITHIN THE SIX-YEAR PERIOD PRIOR TO FILING THIS APPLICATION, HAVE YOU  
6 HAD A DENIED, SUSPENDED, RESTRICTED OR REVOKED BUSINESS OR  
7 PROFESSIONAL LICENSE (INCLUDING REAL ESTATE), IN CALIFORNIA OR ANY  
8 OTHER STATE?" In reliance on this answer the Bureau renewed Respondent's real estate  
9 broker license. Respondent obtained this license by knowingly making a false statement or  
10 material fact or knowingly omitting to state a material fact in his application. Respondent  
11 failed to disclose the disciplinary actions described below in Paragraphs 4, 5, and 6.

12 State of Washington License Revocation

13 4.

14 On January 10, 2013, the Director of the Department of Financial Institutions  
15 (Department) for the State of Washington issued a Final Order in that Department's Case No.  
16 C-12-0922-13-FO01 against Respondent and Respondent's corporation, Mortgageclose.com,  
17 Inc. The Final Order revoked Mortgageclose.com, Inc.'s license to conduct business as a  
18 Consumer Lender and prohibited both Respondent and Mortgageclose.com, Inc. from  
19 participation in the affairs of any consumer loan company licensed by the Department for a  
20 period of five (5) years. Respondent and Mortgageclose.com, Inc. were ordered to pay  
21 restitution to a consumer in the amount of \$995.00, pay a fine of \$10,000 to the Department, and  
22 pay the Department's investigation costs of \$4,561.56.

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1 State of Nebraska License Denial

2 5.

3 On July 23, 2010, the Department of Banking & Finance for the State of Nebraska issued  
4 a mortgage loan originator ("MLO") license to Respondent. The MLO license was issued on a  
5 conditional basis subject to a review of Respondent's credit report to make final determination  
6 as to Respondent's financial responsibility in connection with a request to renew the MLO  
7 license for 2011. Respondent failed to provide documentation of Respondent's efforts to satisfy  
8 tax liens and delinquent credit accounts. On April 20, 2011, the Department of Banking &  
9 Finance for the State of Nebraska issued an Order of Denial of Renewal of Mortgage Loan  
10 Originator License Application against Respondent.

11 State of Tennessee License Denial

12 6.

13 On June 13, 2011, the Department of Financial Institutions for the State of Tennessee  
14 denied Respondent's application for a license to engage in the business of a mortgage loan  
15 originator.

16 CAUSE FOR DISCIPLINE

17 7.

18 Respondent's failure to reveal the prior disciplinary actions set forth above in Paragraphs  
19 4, 5, and 6, constitutes cause to suspend or revoke Respondent's present real estate license and  
20 license rights pursuant to Sections 498 and 10177(a) of the Code.

21 8.

22 Code Section 10177(f) provides that the Real Estate Commissioner may suspend or  
23 revoke the license of a real estate licensee if a licensee has acted or conducted himself in a  
24 manner that would have warranted the denial of his application for a license or, either had a

1 license denied or had a license issued by another agency of this state revoked or suspended for  
2 acts that, if done by a real estate licensee, would be grounds for the suspension or revocation of a  
3 California real estate license, if the action of denial, revocation, or suspension by the other  
4 agency was taken only after giving the licensee or applicant fair notice of the charges, an  
5 opportunity for a hearing, and other due process protections comparable to the Administrative  
6 Procedure Act.

7 9.

8 The prior disciplinary actions set forth above in Paragraphs 4, 5, and 6, constitute cause  
9 for the suspension or revocation of all licenses and license rights of Respondent under Code  
10 Section 10177(f). Said acts, if done by a real estate licensee, would be grounds for the  
11 suspension or revocation of a California real estate license pursuant to Code Sections 10148,  
12 10176(i), 10177(d), 10166.051(b), and 10166.05(c).

13 COST RECOVERY

14 10.

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

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