BUREAU OF REAL ESTATE 320 W. 4<sup>th</sup> Street, Suite 350 Los Angeles, CA 90013

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BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

**BUREAU OF REAL ESTATE** 

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To:

JEANNIE VU NGUYEN,

ORDER TO DESCRIPTION OF THE PROPERTY OF THE PROPERTY

NO. H-40396 LA

ORDER TO DESIST AND REFRAIN

(B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made into the activities of JEANNIE VU NGUYEN ("Respondent"). Based on the investigation, the Commissioner has determined that Respondent has engaged in acts or practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code of Regulations ("Regulations"), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Code Section 10131(b) (Leases or rents or offers to lease or rent, or places for rent, or solicits listings of places for rent, or solicits for prospective tenants, or collects rents from real property, or improvements thereon), also known as property management activities. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to Respondent, those acts are alleged to have been done by Respondent acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators.

## FINDINGS OF FACT

- 1. Respondent JEANNIE VU NGUYEN is presently licensed or has license rights under the Real Estate Law as a real estate salesperson. Respondent was originally licensed as a real estate salesperson by the Bureau on or about May 15, 2002, and since October 1, 2013, Respondent has been licensed in the employ of real estate broker Thomas Dao.
- 2. During the period of time set out below, said Respondent solicited rental property management contracts and proceeded to do one or more of the following acts for another or others, for or in expectation of compensation: lease or rent or offer to lease or rent, or place for rent, or solicit listings of places for rent, or solicit for prospective tenants, or collect rents from real property, or improvements thereon.
- 3. Between 2011 and 2015, Respondent conducted such property management activities without the knowledge or consent of her employing real estate broker, Respondent also collected compensation for performing such activities directly from the property owner, and not from her employing broker in violation of Code Section 10137.
- 5. On April 22, 2016, Respondent informed the Bureau of Real Estate auditor in an in-person interview, and by written statement, that she had ceased performing property management activities in January, 2015.

## CONCLUSIONS OF LAW

6. Based on the findings of fact contained in paragraphs 1 through 5, above, Respondent, acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators solicited real property management contracts and collected a fee to do one or more of the following acts for another or others, for or in expectation of compensation: lease or rent or offer to lease or rent, or place for rent, or solicit listings of places for rent, or

solicit for prospective tenants, or collect rents from real property, or improvements thereon, all of which activities require a real estate broker license under Code Section 10131(b), when real estate salesperson JEANNIE VU NGUYEN failed to perform such activities under her employing broker in violation of Code Section 10130. Respondent further collected compensation for such activities directly from the property owner and not from her employing real estate broker in violation of Code Section 10137.

## **DESIST AND REFRAIN ORDER**

Based on the Findings of Fact and Conclusions of Law stated herein, JEANNIE VU NGUYEN, whether under her own names or under any other name, IS HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, and in particular, doing one or more of the following acts for another or others, for or in expectation of compensation: lease or rent or offer to lease or rent, or place for rent, or solicit listings of places for rent, or solicit for prospective tenants, or collect rents from real property, or improvements thereon, or engage in rental property management activities of any kind whatsoever unless JEANNIE VU NGUYEN conducts such real estate activities under the employment of the real estate broker with whom she is licensed to perform real estate activities by the Bureau of Real Estate.

DATED:

WAYNE S. BELL

Real Estate Commissioner

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**Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars (\$60,000)."

cc:

9680 Lark Circle Fountain Valley, CA 92708

JEANNIE VU NGUYEN