

FILED

DEC 9 2018

DEPT. OF REAL ESTATE

By [Signature]

BEFORE THE DEPARTMENT¹ OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of:)	DRE No. H-41179 LA
)	
EASTWEST LENDING, INC.; and)	
SANG THANH TIEU, individually)	
and as designated officer of EastWest)	
Lending, Inc.,)	
)	
Respondents.)	
)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default for Respondents EASTWEST LENDING, INC. (“ELI”) and SANG THANH TIEU (“TIEU”), individually and as designated officer of EastWest Lending, Inc. (“Respondents”) filed on November 28, 2018, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) Respondents’ express admissions; (2) affidavits; and/or (3) other evidence.

This Decision revokes one or more real estate licenses on the grounds of the violation of the Real Estate Law, Part 1 of Division 4 commencing with Section 10000 of the Business and Professions Code (“Code”) and/or the Regulations of the Real Estate Commissioner, Title 10, Chapter 6 of the California Code of Regulations (“Regulations”).

Pursuant to Government Code Section 11521, the California Department of Real Estate (“the Department”) may order reconsideration of this Decision on petition of any party. The party seeking reconsideration shall set forth new facts, circumstances, and evidence, or errors in law or analysis, that show(s) grounds and good cause for the Commissioner to reconsider the Decision. If new evidence is presented, the party shall specifically identify the new evidence and explain why it was not previously presented. The Department’s power to order reconsideration of this Decision shall expire 30 days after mailing of this Decision, or on the effective date of this Decision, whichever occurs first. The right to reinstatement of a revoked real estate license, or to the reduction of a penalty, is controlled by Section 11522 of the

¹ “Between July 1, 2013 and July 1, 2018, the Department of Real Estate operated as the Bureau of Real Estate under the Department of Consumer Affairs.”

Government Code. A copy of Government Code Sections 11521 and 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of respondent.

FINDINGS OF FACT

1.

On September 27, 2018, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the Department. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent's last known mailing address on file with the Department on October 17, 2018.

2.

On November 28, 2018, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondents' default was entered herein.

LICENSE HISTORY

3.

EASTWEST LENDING, INC.: Respondent ELI is presently licensed and/or has license rights issued by the Department of Real Estate as a real estate corporate broker (license no. 01837306). ELI was originally licensed as a corporate real estate broker on or about December 10, 2007. ELI's registered fictitious business names have been "East West Lending" and "EastWest Realty," both from on or about January 10, 2008 through the present, and "Nation 1 Escrow – A Non-Independent," from on or about March 9, 2016 through the present. From on or about February 24, 2010 through the present, ELI's designated officer has been TIEU. From on or about December 10, 2007 to February 24, 2010, ELI's designated officer was Linh Van Le (license no. 00981263), whose real estate broker license expired on or about August 17, 2010. From on or about October 1, 2007 through the present, ELI has been licensed with a mortgage license originator ("MLO") license endorsement (NMLS no. 327318).

4.

SANG THANH TIEU: Respondent TIEU is presently licensed and/or has license rights issued by the Department of Real Estate as a real estate broker (license no. 01764140). TIEU was originally licensed with a real estate broker license on or about February 22, 2010. Previously, from on or about August 24, 2006 to February 21, 2010, TIEU was licensed as a real estate salesperson. From on or about October 1, 2007 through the present, TIEU has been licensed with an MLO license endorsement (NMLS no. 330872).

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5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on October 17, 2018, which is incorporated herein as part of this Decision.

6.

All references to the "Code" are to the Business and Professions Code and all references to "Regulations" are to title 10, chapter 6, California Code of Regulations.

DETERMINATION OF ISSUES

1.

Respondents' conduct, as described in Paragraphs 8(a) through 8(h) of Exhibit A, violated the Code and the Regulations as set forth below:

<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
8(a)	Code section <u>10145</u> and Regulations sections <u>2832.1</u> and <u>2951</u>
8(b)	Code section <u>10176(e)</u> , <u>10176(i)</u> , and <u>10177(j)</u>
8(c)	Code section <u>10145(a)</u> and Regulations sections <u>2832</u> and 2951
8(d)	Code section 10145 and Regulations sections <u>2834</u> and 2951
8(e)	Code sections 10145 and Regulations sections <u>2831</u> and 2951
8(f)	Code section 10145 and Regulations sections <u>2831.2</u> and 2951
8(g)	Regulations section <u>2726</u>
8(h)	Code sections <u>10159.2</u> and <u>10177(h)</u> and Regulations section <u>2725</u>

2.

The foregoing violations, as described in Paragraphs 8(a) through 8(h) of Exhibit A, constitute cause for discipline of the real estate license and license rights of ELI and TIEU under the provisions of Code sections 10176(e), 10177(d), 10177(g), 10177(h), and/or 10177(j)/10176(i).

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

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ORDER

All licenses and licensing rights of Respondents EASTWEST LENDING, INC.;
and SANG THANH TIEU, individually and as Designated Officer of EastWest Lending, Inc.,
under the provisions of the Real Estate Law are revoked.

This Decision shall become effective at 12 o'clock noon on January 8, 2019.

DATED: December 13, 2018.

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER



1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013

FILED

NOV 28 2018

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By R. Pineda

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-41179 LA*
12 EASTWEST LENDING INC ,) DEFAULT ORDER
13 Respondent.)
14 _____)

15 Respondent EASTWEST LENDING INC , having failed to file a Notice of
16 Defense within the time required by Section 11506 of the Government Code, is now in
17 default. It is, therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED NOVEMBER 28, 2018.

19 DANIEL SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21
22 By: *J. M. Carrillo*
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
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1 Department of Real Estate
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3 Los Angeles, CA, 90013
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By R. P. [Signature]

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-41179 LA*
12 SANG THANH TIEU,) DEFAULT ORDER
13 Respondent.)
14 _____)

15 Respondent SANG THANH TIEU, having failed to file a Notice of Defense
16 within the time required by Section 11506 of the Government Code, is now in default. It is,
17 therefore, ordered that a default be entered on the record in this matter.

18 IT IS SO ORDERED NOVEMBER 28, 2018.

19 DANIEL SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21
22 By: [Signature]
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
25
26
27