

By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:)	DRE No. H-41245 LA
)	
MIKE YANG,)	
)	
Respondent(s).)	

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 filed on January 24, 2019, and the Findings of Fact set forth herein, which are based on one or more of the following: (1) The express admissions of Respondent, MIKE YANG (“Respondent”); (2) affidavits; and (3) other evidence.

The Decision revokes one or more real estate license and/or license rights pursuant to the Real Estate Law, Part I of Division 4, of the Business and Professions Code (“the Code”) Sections 10176(a), 10176(e), 10176(i), 10177(d) and/or 10177(g).

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 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.

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FINDINGS OF FACT

1.

On December 4, 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 December 12, 2018.

2.

On January 24, 2019, no Notice of Defense having been received or filed herein within the time prescribed by Section 11506 of the Government Code, Respondent's default was entered herein.

3.

Respondent is presently licensed and/or has license rights under the Real Estate Law as a real estate broker. Respondent was originally licensed as a real estate broker on March 15, 2002, and his real estate broker license expired effective March 14, 2018. Pursuant to Code Section 10103, the Department retains jurisdiction. Beginning July 25, 2013, and continuing to the present, Respondent has also been the licensed officer of corporate real estate broker Millenium Realty-SFV, Inc., and that license is due to expire on December 17, 2021.

4.

To date, the Department of Real Estate has incurred costs totaling \$1,850.75.

5.

Attached as Exhibit "A" is a true and correct copy of the Accusation filed on December 12, 2018, which is incorporated herein as part of this Decision.

DETERMINATION OF ISSUES

1.

The conduct of Respondent, as alleged in Exhibit A, is grounds for the suspension or revocation of his real estate licenses and license rights pursuant to Code Sections [10176\(a\)](#), [10176\(e\)](#), [10176\(i\)](#), [10177\(d\)](#) and/or [10177\(g\)](#).

2.

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

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ORDER

All licenses and licensing rights of Respondent MIKE YANG under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

FEB 25 2019

This Decision shall become effective at 12 o'clock noon on _____.

DATED: January 29, 2019

DANIEL J. SANDRI
ACTING REAL ESTATE COMMISSIONER



1 Department of Real Estate
2 320 West Fourth St, Ste 350
3 Los Angeles, CA, 90013
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6
7

FILED

JAN 24 2019

DEPT. OF REAL ESTATE
By R. P. Adams

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:) DRE NO. *H-41245 LA*
12)
13 MIKE YANG,) DEFAULT ORDER
14)
Respondent.)

15 Respondent MIKE YANG, having failed to file a Notice of Defense within
16 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 JANUARY 24, 2019.

19 DANIEL SANDRI
20 ACTING REAL ESTATE COMMISSIONER

21
22 By: Joseph M. Carrillo
23 JOSEPH M. CARRILLO
24 Managing Deputy Commissioner IV
25
26
27

EXHIBIT (A)

1 AMELIA V. VETRONE, Counsel (SBN 134612)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105

5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6940

FILED

DEC 12 2018

DEPT. OF REAL ESTATE

M. J. J.

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation Against) No. H-41245 LA
12)
13 MIKE YANG,) A C C U S A T I O N
14)
15 Respondent.)
16)

17 The Complainant, Maria Suarez, a Supervising Special Investigator of the State
18 of California, acting in her official capacity, for cause of Accusation against MIKE YANG
19 (“Respondent”) alleges as follows:

20 1.

21 All references to the “Code” are to the California Business and Professions
22 Code, all references to the “Real Estate Law” are to Part 1 of Division 4 of the Code, and all
23 references to “Regulations” are to Title 10, Chapter 6, California Code of Regulations.

24 2.

25 Respondent is presently licensed and/or has license rights under the Real Estate
26 Law as a real estate broker. Respondent was originally licensed as a real estate broker on
27 March 15, 2002, and his real estate broker license expired effective March 14, 2018. Pursuant
to Code Section 10103, the Bureau of Real Estate retains jurisdiction. Beginning July 25,
2013, and continuing to the present, Respondent has also been the licensed Officer of corporate

1 real estate broker Millenium Realty-SFV, Inc., and that license is due to expire on December
2 17, 2021.

3 3.

4 At all times mentioned, in the City of Northridge, County of Los Angeles,
5 Respondent engaged in the business of, acted in the capacity of, advertised, or assumed to act
6 as a real estate broker within the meaning of Code Sections 10131(a) and 10131(d), including
7 the solicitation for listings of and the negotiation of the purchase and sale of real property as the
8 agent of others for or in expectation of compensation. Respondent's activities also included
9 soliciting borrowers or lenders for and/or negotiating loans, collecting payments and/or
10 performing services for borrowers or lenders in connection with loans secured by liens on real
11 property.

12 4.

13 On or about June 8, 2016, Diorena R. entered into a residential real estate
14 purchase agreement to purchase real property located at 4190 York Blvd., Los Angeles,
15 California, and deposited the sum of \$30,000.00, as her earnest money deposit, with
16 Respondent. Respondent informed the consumer that the escrow would take 60 days to close.

17 5.

18 By November, 2017, escrow had still not closed so the buyer, Diorena R., asked
19 Respondent to cancel the purchase transaction and refund her earnest money deposit. In fact,
20 no escrow had ever been opened for the purchase transaction and Respondent had converted the
21 earnest money deposit to his own use. Although Respondent has repeatedly promised to refund
22 Diorena R.'s money to her, Respondent has to date failed and refused to make any refund in
23 any amount.

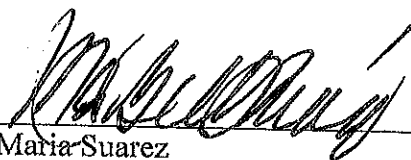
24 6.

25 The conduct of Respondent, as alleged above, is grounds for the suspension or
26 revocation of his real estate licenses and license rights pursuant to Code Sections 10176(a),
27 10176(e), 10176(i), 10177(d) and/or 10177(g).

California Business and Professions Code Section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department, 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 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 Respondent MIKE YANG under the Real Estate Law, for the costs of investigation and enforcement as provided by law, and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California: 4 December 2018.



Maria Suarez
Deputy Real Estate Commissioner

cc: Mike Yang
Maria Suarez
Sacto.