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**FILED**

DEC 20 2021

DEPT. OF REAL ESTATE  
By *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of	)	No. H-42142 LA
	)	
MANNY PHONG NGUYEN,	)	<u>A C C U S A T I O N</u>
	)	
Respondent.	)	
_____	)	

The Complainant, Veronica Kilpatrick, a Supervising Special Investigator of the State of California, for cause of Accusation against MANNY PHONG NGUYEN ("Respondent"), is informed and alleges as follows:

1.

The Complainant, Veronica Kilpatrick, acting in her official capacity as a Supervising Special Investigator of the State of California, makes this Accusation against MANNY PHONG NGUYEN.

2.

Respondent presently has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as a real estate salesperson.

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Accusation of Manny Phong Nguyen

1 FIRST CAUSE OF ACTION

2 (CRIMINAL CONVICTION)

3 3.

4 On or about January 7, 2020, Respondent pled nolo contendere and was  
5 convicted in the Superior Court of California, County of Sacramento, Case No. 19FE001061,  
6 for violation of California Penal Code section 245(a)(4) (Assault by Force Likely to Produce  
7 Great Bodily Injury), a felony. Respondent was placed on five years of formal probation, and  
8 ordered to serve 364 days in jail and pay fines and fees.

9 4.

10 The conviction described in Paragraph 3 bears a substantial relationship under  
11 section 2910, Title 10, Chapter 6, California Code of Regulations to the qualifications,  
12 functions or duties of a real estate licensee.

13 5.

14 The crime of which Respondent was convicted, as described in Paragraph 3  
15 above, constitutes cause under sections 490 and 10177(b)(1) of the Code for the suspension or  
16 revocation of all the licenses and license rights of Respondent under the Real Estate Law.

17 SECOND CAUSE OF ACTION

18 (FAILURE TO REPORT CONVICTION)

19 6.

20 Pursuant to Code section 10186.2, a licensee shall report, in writing, "the  
21 conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any  
22 felony or misdemeanor" to the Department of Real Estate ("Department") within 30 days of the  
23 conviction. Respondent failed to report in writing to the Department the conviction described  
24 in Paragraph 3 above, within thirty (30) days (February 7, 2020) of the conviction date.  
25 Respondent's failure to timely report the conviction constitutes cause under section 10186.2 of  
26 the Code for the suspension or revocation of the license and license rights of Respondent under  
27 the Real Estate Law.

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7.

Code section 10106 provides, in pertinent part, that in any order issued in resolution of a disciplinary proceeding before the Department 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, license endorsements, and license rights of Respondent MANNY PHONG NGUYEN 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 San Diego, California

this 17 day of December, 2021

*Veronica Kilpatrick*

Veronica Kilpatrick  
Supervising Special Investigator

cc: MANNY PHONG NGUYEN  
Filo Real Estate Inc DBA Acre & Co; Central Valley Country Homes; Cornerstone Home Partners; Dollars For Heroes Real Estate Group; Grovehouse; Homeology; Nest Group; One Luxe; Placer Commercial Group; Placer Team; Property Sisters; Property Sisters of Northern California; Purpose Real Estate; Realty One Group; Realty One Group Commercial; Realty One Group Complete; S&A Real Estate Team; Smart Click Realty; Suburban Life Real Estate; Suburban Life Realty Group; Team RnB Homes; Tru California Real Estate  
Veronica Kilpatrick  
Sacto.

Accusation of Manny Phong Nguyen