KATHY YI, Counsel (SBN 236736) FILED Department of Real Estate 320 West 4th Street, Suite 350 Jos Angeles, California 90013-1105 JUN 0 4 2024 Dept. OF REAL ESTATE Bept. OF REAL ESTATE Direct: (213) 576-6982 Direct: (213) 576-6940 Email: kathy.yi@dre.ca.gov Attorney for Complainant BEFORE THE DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA *** In the Matter of the Accusation of) No. H-42837 LA
THONG DUY VU,) FIRST AMENDED) ACCUSATION Respondent.)
This Accusation amends the Accusation filed on March 15, 2024. The Complainant, Jason Parson, a Supervising Special Investigator of the State of California, for cause of Accusation of THONG DUY VU ("Respondent"), alleges as follows: 1.
The Complainant, Jason Parson, a Supervising Special Investigator of the State
of California, makes this Accusation in his official capacity.
LICENSE HISTORY
2.
a. Respondent is presently licensed and/or has license rights under the Real
Estate Law, Part 1 of Division 4 of the California Business and Professions Code ("Code"), as
real estate salesperson with Department of Real Estate ("Department") license ID 01971197.
Respondent's real estate salesperson license is set to expire on June 9, 2027, unless renewed.
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1	b. According to the DRE records, Respondent holds a Department-approved
2	individual Mortgage Loan Originator ("MLO") license endorsement with the assigned National
3	Mortgage Licensing System and Registry ("NMLS") No. 1600673. Said MLO license
4	endorsement is set to expire on December 31, 2024, unless renewed.
5	CRIMINAL CONVICTION
6	3.
7	a. On or September 29, 2022, in the Superior Court of California, County of
8	Orange, Case No. 20WM03702, Respondent was convicted, upon guilty pleas to the following
9	counts and allegations:
10	• Count 1: violation of Penal Code section 23152(a) (driving under the
11	influence of alcohol), a misdemeanor, with an admission of allegation of
12	violation of Vehicle Code section 23577(a)(1) (refusal to submit to a
13	peace officer's request for submission to, and willfully failing to
14	complete, a breath and urine test);
15	• Count 2: violation of Vehicle Code section 23153(b) (driving under the
16	influence of alcohol of 0.08% BAC or more), a misdemeanor, with an
17	admission of allegation of violation of Vehicle Code section 23577(a)(1)
18	(refusal to submit to a peace officer's request for submission to, and
19	willfully failing to complete, a breath and urine test);
20	• Count 3: violation of Vehicle Code section 20002(a) (hit and run with
21	property damage), a misdemeanor.
22	b. As to Count 2, the Court stayed the sentence pursuant to Penal Code section
23	654. As to Count 3, the Court suspended the imposition of sentence. As to Count 1, the Court
24	placed Respondent on informal probation for three (3) years on certain terms and conditions,
25	including, in part, serving thirty (30) days in county jail, completion of a nine (9) month Level
26	2 First Offender Alcohol Program, completion of Victim Impact Counseling, and payment of
27	fees and fines.
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1	4.
2	The conviction, as described in Paragraph 3 above, bears a substantial
3	relationship under Section 2910, Title 10, Chapter 6, California Code of Regulations
4	("Regulations") to the qualifications, functions or duties of a real estate licensee.
5	5.
6	The crimes for which Respondent was convicted, as described in Paragraph 3
7	above, constitute cause under Code sections 490 and 10177(b) for the suspension or revocation
8	of the license and license rights of Respondent under the Real Estate Law.
9	FAILURE TO REPORT CONVICTION
10	6.
11	Pursuant to Section 10186.2 of the Code, a licensee shall report, in writing, "the
12	conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any
13	felony or misdemeanor" to the Department of Real Estate ("Department") within thirty (30)
14	days of the conviction. Respondent failed to report in writing to the Department the conviction
15	described in Paragraph 3 above, within thirty (30) days of the conviction date.
16	7.
17	Respondent's failure to timely report the conviction described in Paragraph 3
18	above constitutes cause under Section 10186.2 of the Code for the suspension or revocation of
19	the license and license rights of Respondent under the Real Estate Law.
20	IN AGGRAVATION
21	(PRIOR CONVICTIONS)
22	8.
23	On or about June 10, 2013, in the Superior Court of California, County of
24	Orange, Case No. 13WM02939, Respondent was convicted, upon a guilty plea, for violating
25	Penal Code section 594(a)/(b)(1) (vandalism – damage \$400 or more), a misdemeanor. The
26	court suspended the imposition of sentence and placed Respondent on informal probation for
27	three (3) years upon certain terms and conditions, including completion of 25 days of Cal
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¹ Trans, and payment of restitution, fines and fees.

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2	9.
3	On or about June 27, 2007, in the Superior Court of California, County of
4	Orange, Case No. 07HM02531, Respondent was convicted, upon a guilty plea, for violating
5	Vehicle Code section 23152(b) (driving under influence with 0.07% BAC or more), a
6	misdemeanor. The court suspended the imposition of sentence and placed Respondent on
7	summary probation for three (3) years upon certain terms and conditions, including completion
8	of a 3-month Level 1 First Offender Alcohol Program, completion of MADD Victim Impact
9	Panel, and payment of fines and fees.
10	COSTS OF INVESTIGATION AND ENFORCEMENT
11	10.
12	California Business and Professions Code section 10106, provides, in pertinent
13	part, that in any order issued in resolution of a disciplinary proceeding before the Department
14	of Real Estate, the Commissioner may request the administrative law judge to direct a licensee
15	found to have committed a violation of this part to pay a sum not to exceed the reasonable costs
16	of the investigation and enforcement of the case.
17	11.
18	These proceedings are brought under the provisions of Section 10100, Division
19	4 of the Business and Professions Code of the State of California and Sections 11500 through
20	11528 of the California Government Code.
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1	WHEREFORE, Complainant prays that a hearing be conducted on the
2	allegations of this Accusation and that upon proof thereof, a decision be rendered imposing
3	disciplinary action against all the licenses and license rights of THONG DUY VU under
4	the Real Estate Law, for the costs of investigation and enforcement as permitted by law, and for
5	such other and further relief as may be proper under other applicable provisions of law.
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7	Dated at Los Angeles, California, on June 4, 2024.
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10	Jašon Parson
11	Supervising Special Investigator
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15 16	cc: THONG DUY VU Mike M. Nguyen
17	Jason Parson Sacto.
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