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8	BEFORE THE			
9	DEPARTMENT OF CONSUMER AFFAIRS FOR THE BUREAU OF HOUSEHOLD GOODS AND SERVICES			
10	STATE OF CALIFORNIA			
11				
12	In the Matter of the Accusation Against:	Case No. 15 2022-460		
13	LAI TRAN, DBA VALLEY FURNITURE	Case 110, 15 2022 100		
14	1721 E. Hammer Lane Stockton, CA 95210	DEFAULT DECISION AND ORDER		
15	Furniture and Bedding Retailer License No.			
16	M-159976 Service Contractor Seller Registration No.	[Gov. Code, §11520]		
17	8-15537			
18	Respondent.			
19				
20	FINDINGS OF FACT			
21	1. On or about June 5, 2023, Complainant Justin Paddock, in his official capacity as the			
22	Bureau Chief of the Bureau of Household Goods and Services (Bureau), Department of			
23	Consumer Affairs, filed Accusation No. 15 2022-460 against Lai Tran, dba Valley Furniture			
24	(Respondent) before the Director of the Department of Consumer Affairs. (Accusation attached			
25	as Exhibit A.)			
26	2. On March 4, 2011, the Bureau issued	Furniture and Bedding Retailer License (FBRL)		
27	No. M-159976 to Respondent. The Furniture and Bedding Retailer License expired on March 31,			
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	1 (LAI TRAN, DBA VALLEY FURNITURE) DEFAULT DECISION & ORDER Case No. 15 2022-46			

1	2021, and has not been renewed. Under Business and Professions Code section 118, subdivision		
2	(b), this lapse in licensure shall not deprive the Bureau of its authority to institute or continue a		
3	disciplinary proceeding, or otherwise take disciplinary action against Respondent.		
4	3. On December 30, 2010, the Bureau issued Service Contract Seller Registration No. S-		
5	15537 to Respondent. The Service Contract Seller Registration expired on December 31, 2013,		
6	and has not been renewed. Under Business and Professions Code section 118, subdivision (b),		
7	this lapse in licensure shall not deprive the Bureau of its authority to institute or continue a		
8	disciplinary proceeding, or otherwise take disciplinary action against Respondent.		
9	4. On June 9, 2023, Complainant served Respondent by Certified and First Class Mail		
10	with copies of the Accusation No. I5 2022-460, Statement to Respondent, Notice of Defense,		
11	Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,		
12	and 11507.7) at Respondent's address of record which, pursuant to Business and Professions		
13	Code section 136, is required to be reported and maintained with the Bureau. Respondent's		
14	address of record was and is 1721 E. Hammer Lane, Stockton, CA 95210.		
15	5. Service of the Accusation was effective as a matter of law under the provisions of		
16	Government Code section 11505, subdivision (c), or Business and Professions Code section 124.		
17	6. Government Code section 11506(c) states:		
18	(c) The respondent shall be entitled to a hearing on the merits if the respondent files a patient of defense and the paties shall be deemed a specific denial of all		
19 20	files a notice of defense and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.		
21	7. The Bureau takes official notice of its records and the fact that Respondent failed to		
22	file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore		
23	waived her right to a hearing on the merits of Accusation No. I5 2022-460.		
24	8. California Government Code section 11520(a) states:		
25	(a) If the respondent either fails to file a notice of defense or to appear at		
26	the hearing, the agency may take action based upon the respondent's express		
27	any notice to respondent		
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	(LAI TRAN, DBA VALLEY FURNITURE) DEFAULT DECISION & ORDER Case No. 15 2022-460		

1	9. Pursuant to its authority under Government Code section 11520, the Director finds		
2	Respondent is in default. The Director will take action without further hearing and, based on the		
3	relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,		
4	finds that the charges and allegations in Accusation No. I5 2022-460, are separately and severally,		
5	found to be true and correct by clear and convincing evidence.		
6	10. The Director finds that the actual costs for Investigation and Enforcement are		
7	\$5,048.75 as of July 11, 2023.		
8	DETERMINATION OF ISSUES		
9	1. Based on the foregoing findings of fact, Respondent Lai Tran, dba Valley Furniture		
10	has subjected Furniture and Bedding Retailer License No. M-159976 and Service Contract Seller		
11	Registration No. S-15537 to discipline.		
12	2. The agency has jurisdiction to adjudicate this case by default.		
13	3. The Director of the Department of Consumer Affairs is authorized to revoke		
14	Respondent's Furniture and Bedding Retailer License and Service Contract Seller Registration		
15	based upon the following violations alleged in the Accusation which are supported by the		
16	evidence contained in the Default Decision Investigatory Evidence Packet in this case:		
17	a. Unlicensed conduct as a service contract seller (Bus. & Prof. Code § 9855.1, subd.		
18	(a));		
19	b. Violation of statutes and regulations as a service contract seller (Bus. & Prof. Code §		
20	9850; and Cal. Code Regs, tit. 16, sec. 2771);		
21	c. Fraud or dishonest dealing as a service contract seller (Bus. & Prof. Code § 9855.7,		
22	subd. (a));		
23	d. Unlicensed conduct as a furniture and bedding retailer (Bus. & Prof. Code § 19049);		
24	e. Violation of statutes as a furniture and bedding retailer (Bus. & Prof. Code § 19210);		
25	and		
26	f. Violation of regulations as a furniture and bedding retailer (Bus. & Prof. Code		
27	§19210; and Cal. Code Regs. tit. 4, sec. 1383.4, subd. (c)).		
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	(LAI TRAN, DBA VALLEY FURNITURE) DEFAULT DECISION & ORDER Case No. 15 2022-4	60	
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1	ORDER	
2	IT IS SO ORDERED that Furniture and Bedding Retailer License No. M-159976, issued to	
3	Respondent Lai Tran, dba Valley Furniture, is revoked.	
4	IT IS FURTHER ORDERED that Service Contract Seller Registration No. S-15537, issued	
5	to Respondent Lai Tran, dba Valley Furniture, is revoked.	
6	Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a	
7	written motion requesting that the Decision be vacated and stating the grounds relied on within	
8	seven days after service of the Decision on Respondent. The agency in its discretion may vacate	
9	the Decision and grant a hearing on a showing of good cause, as defined in the statute.	
10	This Decision shall become effective on August 21, 2023	
11	It is so ORDERED July 21, 2023	
12		
13	Claire Goldstene	
14	FOR THE ØIRECTOR OF THE DEPARTMENT OF CONSUMER AFFAIRS	
15	BUREAU OF HOUSEHOLD GOODS AND SERVICES	
16		
17	84046165.DOCX DOJ Matter ID:SD2023800171	
18	Attachment: Exhibit A: Accusation	
19 20	Exhibit A. Accusation	
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	(LAI TRAN, DBA VALLEY FURNITURE) DEFAULT DECISION & ORDER Case No. 15 2022-460	