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8 **BEFORE THE**
9 **REGISTRAR OF CONTRACTORS**
10 **CONTRACTORS' STATE LICENSE BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. N2012-372

12 **US – SINO INVESTMENT INC**
13 **RICHARD XIN LIU, RMO,CEO/PRES**
14 **JUN LIU, OFFICER**
15 41051 Mission Boulevard
Fremont, CA 94539

A C C U S A T I O N

16 **Contractor's License No. 916478, B,**

17 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. Wood Robinson (Complainant) brings this Accusation solely in his official capacity
22 as the Enforcement Supervisor I of the Contractors' State License Board, Department of
23 Consumer Affairs.

24 2. On or about May 30, 2008, the Registrar of Contractors issued Contractor's License
25 Number 916478, B to US – Sino Investments, Richard Xin Liu, RMO/CEO/Pres, Jun Liu, Officer
26 (Respondent). The Contractor's License expired on May 31, 2012, and has not been renewed.

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1 or violation by any licensee of any provision of the Health and Safety Code or Water Code,
2 relating to the digging, boring, or drilling of water wells, or Article 2 (commencing with Section
3 4216) of Chapter 3.1 of Division 5 of Title 1 of the Government Code, constitutes a cause for
4 disciplinary action."

5 9. Section 7116 of the Code states that "[t]he doing of any wilful or fraudulent act by the
6 licensee as a contractor in consequence of which another is substantially injured constitutes a
7 cause for disciplinary action."

8 COST RECOVERY

9 10. Section 125.3 of the Code provides, in pertinent part, that the Registrar may request
10 the administrative law judge to direct a licensee found to have committed a violation or
11 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
12 and enforcement of the case.

13 FACTUAL SUMMARY

14 11. On or about August 29, 2011, Respondent received a building permit to construct a
15 new 5,801 square foot house in Milpitas, (hereinafter "Milpitas project"). On January 25, 2012,
16 City of Milpitas Building Inspector inspected the construction site and issued a stop order on the
17 project based on the fact that the hillside excavation was unsafe and because there was a lack of
18 shoring. The City further recommended consultation with a soils engineer.

19 12. On January 28, 2012, a Saturday, Respondent continued to work on the Milpitas
20 project despite the stop order issued by City of Milpitas Building Inspector. An employee for
21 Respondent was fatally injured while working on the foundation of the new home when the
22 hillside collapsed on top of the employee.

23 FIRST CAUSE FOR DISCIPLINE

24 (Violation of Building Laws)

25 13. Respondent's license is subject to discipline under Code section 7110, in that
26 Respondent violated the building laws of the City of Milpitas as described above in paragraphs 11
27 and 12.

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1 (a) Provide for the immediate complete suspension by the licensee of all operations as a
2 contractor during the period fixed by the decision.

3 (b) Permit the licensee to complete any or all contracts shown by competent evidence taken
4 at the hearing to be then uncompleted.

5 (c) Impose upon the licensee compliance with such specific conditions as may be just in
6 connection with its operations as a contractor disclosed at the hearing, and may further provide
7 that until such conditions are complied with, no application for restoration of the suspended or
8 revoked licensee shall be accepted by the Registrar.

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Registrar of Contractors issue a decision:

12 1. Revoking or suspending Contractor's License Number 916478, B issued to US – Sino
13 Investments, Richard Xin Liu, RMO/CEO/Pres, Jun Liu, Officer;

14 2. Prohibiting Richard Xin Liu from serving as an officer, director, associate, partner, or
15 qualifying individual of any licensee during the period that discipline is imposed on license
16 Number 916478, B, issued to US – Sino Investments, Richard Xin Liu, RMO/CEO/Pres, Jun Liu,
17 Officer;

18 3. Revoking or suspending any other license for which Richard Xin Liu is furnishing the
19 qualifying experience or appearance;

20 4. Ordering Respondent to pay the Registrar of Contractors his costs in the investigation
21 and enforcement of the case according to proof at the hearing, pursuant to Business and
22 Professions Code section 125.3;

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