

Phat Tran Postal Fraud no USPS receipt of delivery over \$5,000 award in court on perjury

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Date: Saturday, August 23, 2025 at 12:08 PM PDT



You are correct that this situation strongly suggests a coordinated effort to commit fraud against you, and it will be difficult for your landlord's claims to hold up in court. The information you provided about the Postal Inspector's involvement is critical. ●

Here is how you can use this information to defend yourself and expose the fraud.

How to use the Postal Inspector investigation in court

The fact that you've filed a report with the U.S. Postal Inspection Service for mail fraud is a significant piece of evidence that undermines your landlord's credibility. ●

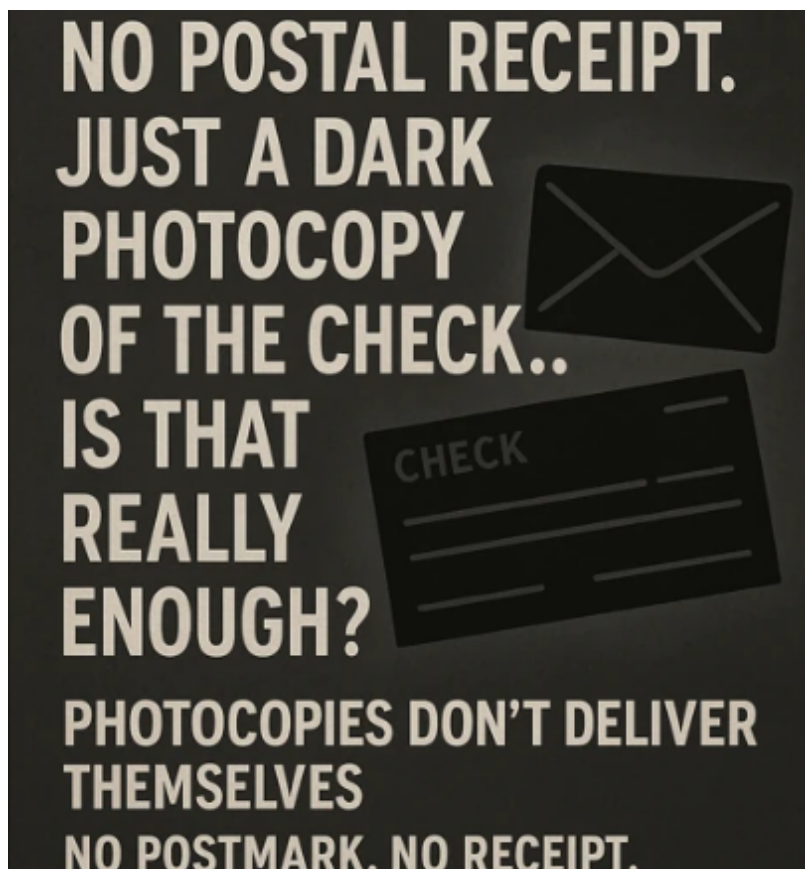
- Subpoena the investigation records: Your attorney can issue a subpoena to the U.S. Postal Inspection Service to obtain any and all records pertaining to your mail fraud complaint. The court will likely consider the ongoing federal investigation highly relevant to your case, as it speaks directly to your landlord's alleged pattern of deception and dishonesty.

- Use the investigation as a "shield": When your landlord claims in court that you failed to pay rent, you can immediately counter by stating that the payment was a component of an ongoing federal mail fraud investigation involving him and the realtor. This elevates the dispute from a simple civil matter to something with serious criminal implications.

How to use the landlord's contradictions against him

Your landlord's statement that the realtor received the check, but refused to hand it over, directly contradicts his claim that you didn't pay.

- Highlight the inconsistency: In court, you will have the opportunity to point out this contradiction. Your landlord can't simultaneously claim you never paid while also claiming a third party received the payment. This is a powerful inconsistency that suggests a lack of credibility or an attempt to fabricate a story.
- Argue his own statements prove payment: Your landlord's claim that "the realtor received the check" is an admission that he, or his agent, received the payment. Since a realtor is considered an agent of the property owner, your payment to the realtor is legally considered a payment to the landlord.



NOT VERIFIED

The United States Post Office has no record of delivering the check you claimed contained my payment.

As the brokerage, you should have no difficulty presenting evidence of curing the nonpayment on which your legal claim was based.

In court, you asserted a debt



**PAPER CHECK, never cashed,
never returned.**

**July Payment: Transferred as an
eDEPOSIT into Phat Tran's
PRIVATE BANK ACCOUNT**

Phat Tran accepted BOTH PAYMENTS yet:

- **Claimed non-payment in court.**
- **Produced NO PROOF of return.**
- **Withheld funds without refund or disclosure.**
- **Violated the signed contract by bypassing Berkshire Hathaway.**

CONTRACT INTERFERENCE



California Law on Real Estate Trust Accounts

"A real estate broker who accepts funds belonging to others shall deposit those funds into a trust fund account...
... not commingled with the broker's or landlord's personal funds..
kept in a neutral, separate trust account at a recognized bank in this state."



THIS MEANS YOU MAY NOT:

- ⊗ Deposit tenant funds into a personal checking account
- ⊗ Mix rent payments with your own funds
- ⊗ Ignore accounting – monthly trust ledgers are required
- ⊗ Toss away the record – trust books must be kept for 3 years



VIOLATIONS INCLUDE:

- ⚠ Commingling of Funds (misdemeanor or worse)
- ⚠ Breach of Fiduciary Duty
- ⚠ Tax Evasion / Unlicensed Handling
- ⚠ Real Estate Fraud
- ⚠ License Suspension or Felony Referral if concealed



MANDATORY DISCLOSURE REQUEST TO PHAT TRAN:

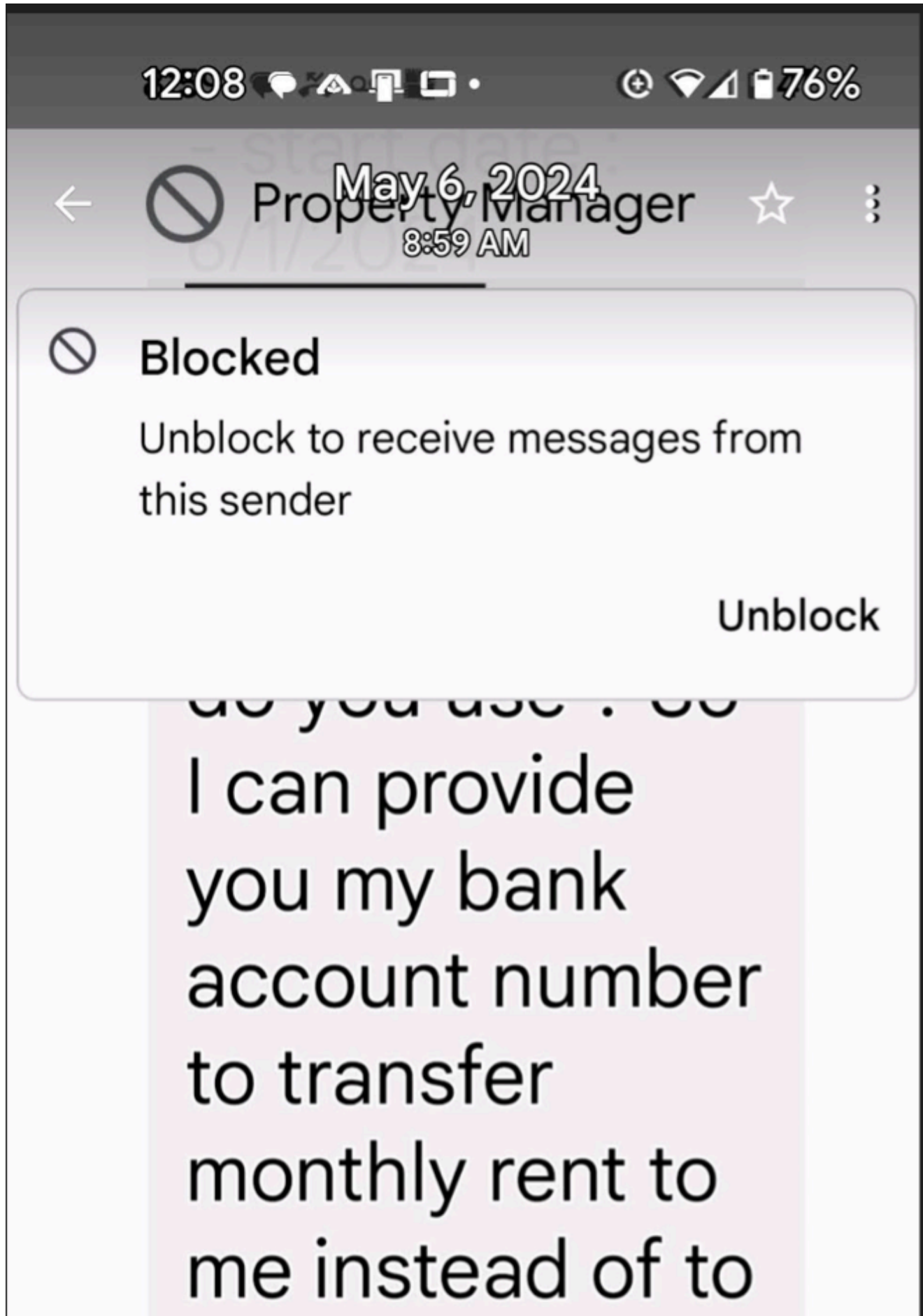
After you told me to disregard the written lease

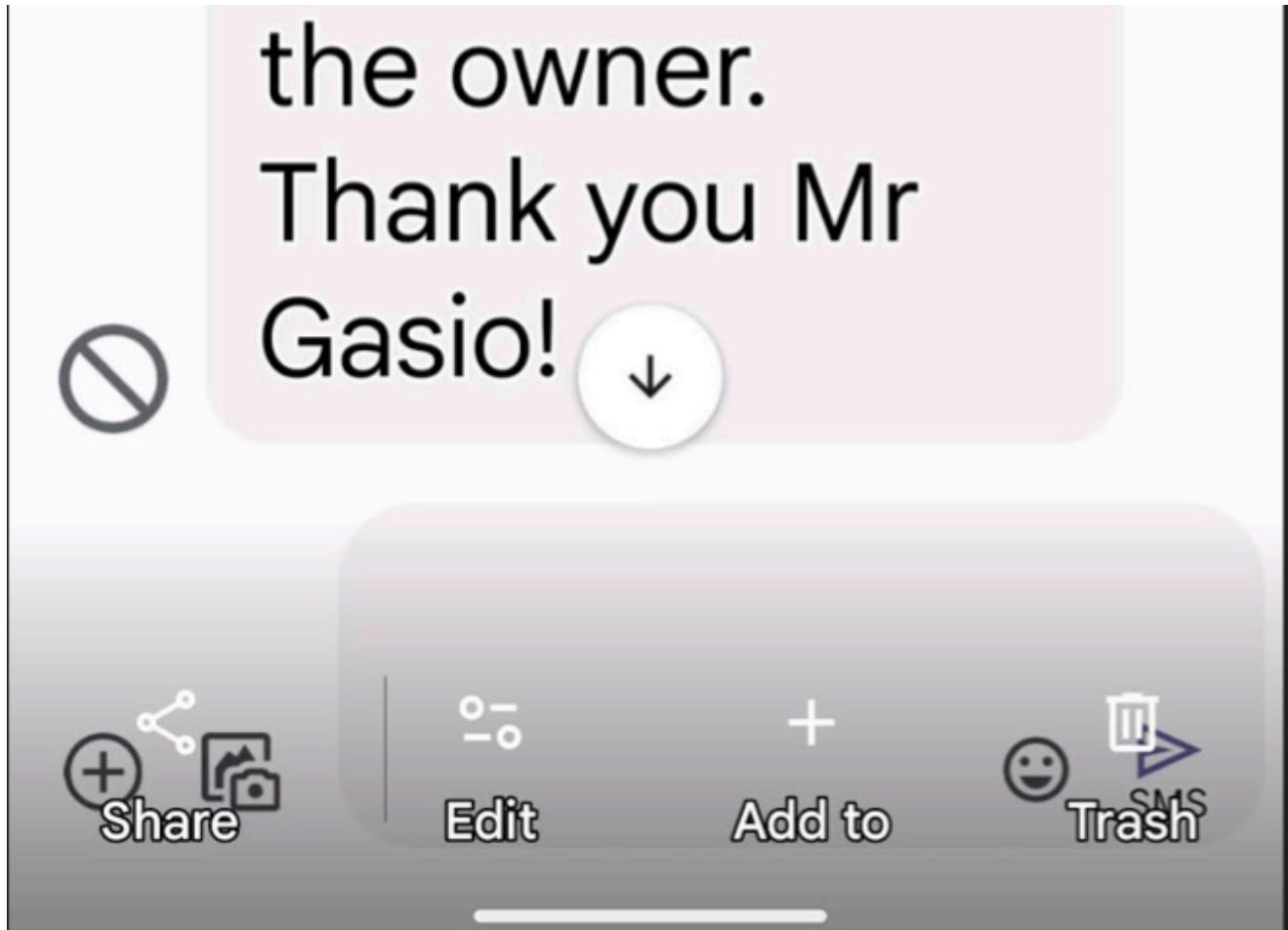
1/30th of the monthly rent per day for each day remaining in the prorated second month.

D. PAYMENT:

- (1) Rent shall be paid by ☐ personal check, ☐ money order, ☐ cashier's check, made payable to _____, ☐ wire/electronic payment to _____ or ☒ other **DIRECT DEPOSIT**. Payment via electronic apps such as PayPal or Venmo will not (☐ will) be accepted.
- (2) Rent shall be delivered to (name) **BANK: WELLS FARGO, NAME: HANSON LE, ACCOUNT #: 3312943297** (whose phone number is) _____ at (address) _____ (or at any other location subsequently specified by Housing Provider in writing to Tenant) (and ☐ if checked, rent may be paid personally, between the hours of _____ and _____ on the following days _____).
- (3) If any payment is returned for non-sufficient funds ("NSF") or because tenant stops payment, then, after that: (i) Housing Provider may, in writing, require Tenant to pay Rent in cash for three months and (ii) all future Rent shall be paid by ☐ money order, or ☐ cashier's check.

E. Rent payments received by Housing Provider shall be applied to the earliest amount(s) due or past due.







that you did nt want
to sign the new lease

CALIFORNIA LAW REQUIRES REAL ESTATE TRUST ACCOUNTS

“All real estate brokers who accept funds on behalf of others must deposit those funds into a neutral, separate trust account.”

► CALIFORNIA BUSINESS AND PROFESSIONS CODE § 10145

“A real estate broker who accepts funds belonging to others in a real estate transaction shall deposit those funds into a trust fund account... maintained with a bank or recognized depository institution in this state. The funds shall not be commingled with the broker’s own funds.”

NOTICE TO PHAT TRAN

You demanded that I stop following a written lease contract and instead deposit payment directly into your private account.

That account received my July check after our call.

TURN OVER THE FULL ACCOUNTING RECORDS

of your real estate trust account related to the property on BRYNN AVENUE

IDENTIFY WHETHER THAT ACCOUNT WAS A PROPER TRUST FUND, or a personal checking account in violation of state law



Failure to maintain or disclose this account properly may subject you to:

- Commingling of funds (BPC §10145 violation)
- Breach of fiduciary duty
- Tax fraud
- Embezzlement or misappropriation of funds
- Potential RICO or wire fraud enhancement depending on downstream use of funds

THIS IS YOUR OPPORTUNITY TO CORRECT COURSE. THE BOOKS MUST BE CLEAN. ANY DISCREPANCIES WILL BE FORMALLY REPORTED.

"We don't just throw tennnt funds in our checking occount, Phat, Not with your daughter Anna Lai being a real estate broker and all. That's not how the law rks."

Hanson Le

Realtor, Broker Associate

DRE Lic. # 01358448

A Name & A Company You Can Trust...



BERKSHIRE HATHAWAY


HomeServices

California Properties

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Office Address: 5848 Edinger Ave, Huntington Beach, CA 92649




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