

Expanded Legal Analysis of Wire Fraud, Contract Deception, and Payment Concealment by Doctor Phat Tran in Superior Court California

Yahoo/Sent

**michael gasio** <gasio77@yahoo.com>

Jun 28 at 11:50 AM

To: Shawn Randell <srandell@hbpdc.org>, Phat Tran <kyphat@yahoo.com>,
Hanson Le <hansonle@bhhsccaprops.com>**I have been concerned that we wouldn't have a place to live at the end of the month: 4/1/2024, then retaliatory eviction June 2024**

• Re: Home Brynn ct

Yahoo/Sent ☆

• **michael gasio**

From: gasio77@yahoo.com

To: Phat Tran



Thu, Apr 4 at 9:46 AM ☆

Sorry I didn't see this before but as I just wrote my computer is broken I completely understand that you work very hard at what you do all day long and it is a very stressful occupation. I appreciate that you took your valuable time to help us here.

As you know I have a property manager in central California looking out for my rentals I've also owned apartments and it's absolutely something I don't want to have anything to do with.

I believe that you are not a lucky person but a very smart person you've taken your money invested in the number one community in the United States last month of the property here went up \$41,000 or 2.8% in one month.

I have been concerned that we wouldn't have a place to live at the end of the month.

As I expect this to be the last time I have to communicate with you I want to thank you very much for the difference it's made in our life to be able to experience your house as our home thank you for paying the property tax, the insurance on this house, the association dues and countless other fees required to get this property.

Michael

[Yahoo Mail: Search, Organize, Conquer](#)

On Tue, Apr 2, 2024 at 11:10 AM, Phat Tran
<kyphat@yahoo.com> wrote:

Hi Michael , thanks for sharing rental market with me , lately I m too busy with my practice and I m thinking to hire the company help me to manage rental property , please do not think we re looking new lessee . Have a nice Tues Michael .
Sent from my iPhone

On Apr 2, 2024, at 10:18 AM, michael gasio <gasio77@yahoo.com> wrote:

What do you think of this 3 bds • 2.5 ba • 2,000 sqft home I found on Zillow? https://www.zillow.com/homedetails/19235-Brynn-Ct-Huntington-Beach-CA-92648/63111667_zpid/?utm_medium=referral

I have not heard back about continuing our arrangement here so I checked Zillow for this address above to see what market said \$4,999.

I am uncomfortable not knowing where we might live next month.

Michael

[Yahoo Mail: Search, Organize, Conquer](#)**"Please do not think we are looking for new lessee"**

Live the beach life in Huntington Beach city 31+

[Share](#) [Save](#)

Show all photos

Entire home in Huntington Beach, California

7 guests · 3 bedrooms · 5 beds · 2.5 baths

+ 2 reviews

Hosted by Vui
7 years hosting

Amenities for everyday living
The host has equipped this place for long stays—kitchen, washer, dryer, and free parking included.

Self check-in
Check yourself in with the keypad.

Free cancellation for 48 hours
Get a full refund if you change your mind.

\$7,744 monthly

CHECK-IN 9/1/2025	CHECKOUT 10/2/2025
GUESTS 3 guests	

Reserve

You won't be charged yet

[Report this listing](#)

Spacious 2000 Sqft Home in Huntington Beach City.

MC-050

makes the following substitution:

- 3/9

8:28

91%



Robert Boyaj...



rent at \$4,999

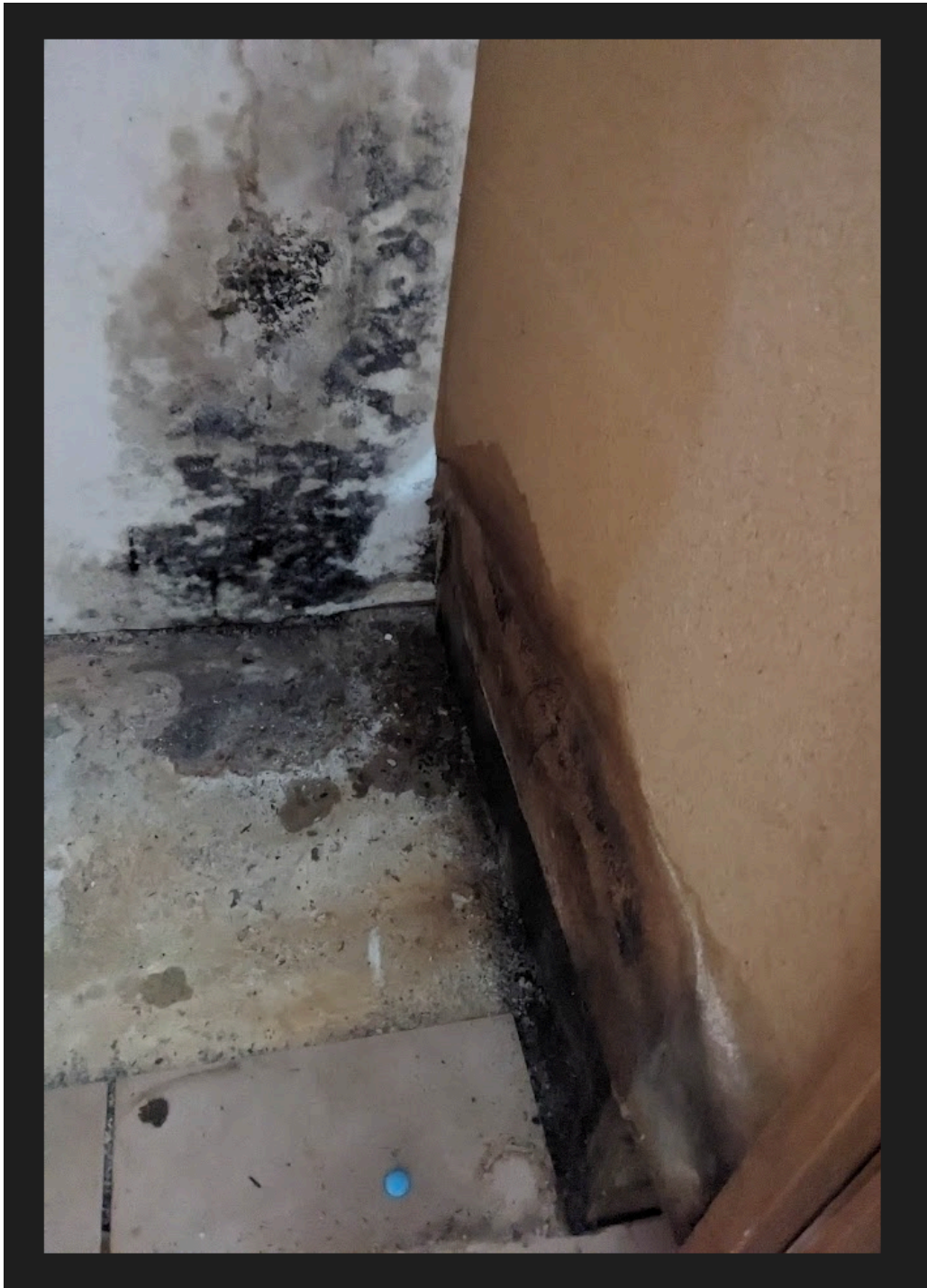
I found a lot of mildew under the sink send them photos of it he sent a guy over and asked if you wanted to cut out the cupboards or if he wanted to remove the marvel counter and splash

to take care of the
drywall and the

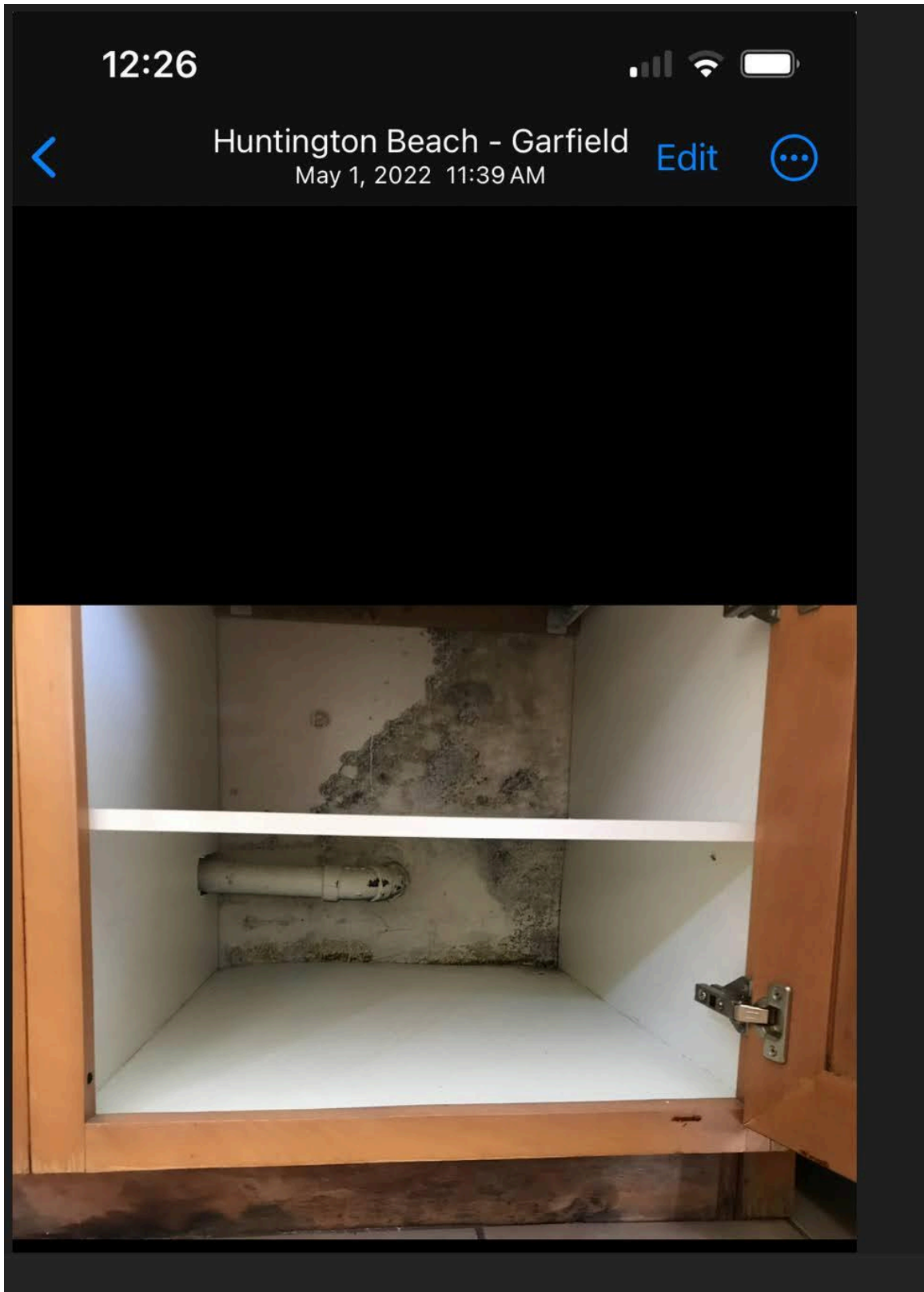


Text mess...









🏠 Question 2 – Expanded Legal Analysis of Wire Fraud, Contract Deception, and Payment Concealment by Doctor Phat Tran in Superior Court California

Building on the previous question about the landlord's statement of intent and lease payment acceptance

Question:

If a landlord (Phat Tran) sends a written message stating, "I want to keep you as the lessee," and the tenant subsequently sends a rent payment via Wells Fargo Bank (electronic transfer on April 19, 2024) clearly labeled for the third-year lease, and this payment is acknowledged as received (via notification on the landlord's phone), but later:

1. The landlord conceals this payment from court proceedings;

2. The landlord or his attorney falsely states the payment was not received or was returned;
3. The payment went through interstate electronic channels (Wells Fargo, headquartered in San Francisco);
4. The tenant presented proof of the transfer, yet was evicted based on a fabricated default;
5. The prior agent, Hanson Le, had already resigned and invoked the Fifth Amendment before state investigators and police;
6. The realtor Anna Ly had extended, opened, and closed the contract—not Hanson Le;

Would these facts constitute multiple counts of wire fraud (18 U.S. Code § 1343), perjury (Cal. Penal Code §118), grand theft by deception (Cal. Penal Code §487), and conspiracy (Cal. Penal Code §182)?

Answer: Yes. This sequence triggers multiple new criminal violations in addition to the original fraud claims. Let's break them down:

Criminal Violations Triggered by Phat Tran's Actions

1. Federal Wire Fraud (18 U.S. Code § 1343)

- The rent was sent electronically via Wells Fargo, which operates interstate.
- The landlord's message confirms intent to continue the lease, establishing a false pretense.
- Receiving the funds, then concealing that fact to justify eviction and pocket the money, constitutes fraud by wire.
- Each instance of deception across state or federal communication systems (email, phone, bank) constitutes a separate count.

✓ Count 1: Fraudulent inducement via electronic communication.

✓ Count 2: Concealment of electronic receipt for unlawful enrichment.

2. Grand Theft (Cal. Penal Code §487)

- \$5,000+ in rent was knowingly taken under false pretenses.
- By misrepresenting the lease status and then accepting funds anyway, Tran intentionally deprived you of property.

✓ Theft is complete at the moment of deceitful acquisition, regardless of eviction outcome.

3. Perjury Under Oath (Cal. Penal Code §118)

- The landlord or his counsel stated in court that no payment was made, or that it was rejected or returned.
- This contradicts evidence submitted by you, including the timestamped bank transfer and the landlord's own acknowledgment.

✓ If any statement contradicts known facts and is made under oath, perjury is prosecutable.

4. Suppression of Exculpatory Evidence (Brady Violation Equivalent)

- By omitting the April 19 payment, the opposing party withheld evidence central to your defense.
- This act, in conjunction with eviction filing, becomes malicious abuse of process.

5. Conspiracy (Cal. Penal Code §182)

- Phat Tran's actions were not in isolation.
- The lease was formally extended through Anna Ly (not Hanson), yet both Tran and his legal team acted as if a lease did not exist.
- Silverstein proceeded despite receiving your certified notices and having access to payment records.
- Hanson Le resigned but never returned the check, and failed to disclose material facts after invoking the Fifth Amendment.

✓ Coordination between these actors to mislead the court and extract funds constitutes a criminal conspiracy.

Additional Aggravating Factors

- Real estate license violations (BPC §10176)
- Elder financial abuse (Cal. Penal Code §368) — you're over 65, and this eviction came after documented health impacts.
- Extortion and duress involving third-party truck intimidation and private bank deposit demands.

Final Summary:

Phat Tran's act of accepting, concealing, and misrepresenting the April 19, 2024, rent payment—while knowingly stating he wished to continue your lease—constitutes multiple criminal offenses across state and federal levels, including:

- 2+ counts of wire fraud,
- 1 count of grand theft,
- 1 count of perjury,
- 1 count of conspiracy,
- 1 count of suppression of material evidence,
- Plus, possible charges under California's RICO-equivalent conspiracy laws.