

1 **TSANG HAN WANG**
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4 *In Pro Per*

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7 **LOS ANGELES COUNTY SUPERIOR COURT**

8 **STATE OF CALIFORNIA**

9 **CENTRAL**

10
11 TSANG HAN WANG, an individual,
12 individually and on behalf of all
13 aggrieved employees and applicants
of Defendant in the State of
14 California;

15 Plaintiff,

16 v.

17 DREAM TEAM REAL ESTATE
CONSULTANTS, INC., a California
18 Corporation d/b/a Equity Union Real
Estate;

19 Defendant.

Case No.

[UNLIMITED CIVIL]

**REPRESENTATIVE ACTION
COMPLAINT FOR PAGA PENALTIES**

(Labor Code § 2698, et seq.)

[JURY TRIAL DEMANDED]

20
21 Plaintiff TSANG HAN WANG ("Plaintiff"), individually and on behalf of all other
22 aggrieved employees and applicants of Defendant DREAM TEAM REAL ESTATE
23 CONSULTANTS, INC. ("Defendant"), and complains and alleges as follows:

24 **I. INTRODUCTION**

25 1. Plaintiff brings this representative action pursuant to the Private Attorneys General Act
26 of 2004, California Labor Code section 2698, et seq. ("PAGA") on behalf of all other current and
27 former employees and applicants of Defendant who were subjected to Defendant's unlawful pre-
28 offer psychometric and personality examination practices during the relevant statutory period

1 (collectively, the “aggrieved employees and applicants”). Plaintiff proceeds in propria persona.
2 PAGA imposes no class certification requirement and no requirement of attorney representation.
3 It is a representative action by statute, not a class action, and aggrieved employees and applicants
4 may file and pursue PAGA claims in propria persona.

5 2. Plaintiff seeks civil penalties for Defendant’s Labor Code violations toward Plaintiff
6 and other aggrieved employees and applicants in California, arising from Defendant’s systematic
7 practice of requiring all job applicants to submit to mandatory pre-offer psychometric and
8 psychological examinations as a condition of employment consideration, and retaliating against
9 applicants who oppose these unlawful practices or assert their statutory rights under California
10 employment law.

11 3. The central violation at issue is structural and temporal. Defendant administers the TTI
12 Talent Insights – Behaviors & Motivators assessment, a sophisticated psychometric instrument
13 measuring personality traits, behavioral dimensions, and motivational drivers, at the pre-offer
14 stage, before extending any conditional offer of employment, as a mandatory condition of further
15 consideration. This is the ex-ante timing violation. California Code of Regulations, Title 2,
16 sections 11071(a), 11070, and 11017 prohibit pre-offer psychological examinations. These CCR
17 provisions define the conduct as unlawful; Labor Code sections 432 and 432.5 provide the PAGA
18 enforcement predicates by prohibiting employers from imposing unlawful conditions as
19 prerequisites to employment. The violation is complete the moment the assessment is presented
20 as a condition of consideration, regardless of any subsequent event.

21 **II. PARTIES**

22 ***A. Plaintiff***

23 4. Plaintiff TSANG HAN WANG (professionally known as Bruce Wang) is an individual
24 who, at all times relevant to this action, was a resident of Los Angeles County, California

25 5. Plaintiff is an aggrieved applicant within the meaning of Labor Code section 2699(c)
26 because Defendant subjected Plaintiff to the unlawful pre-offer psychometric examination
27 practices described herein, and Plaintiff had one or more of the alleged violations committed
28

1 against him. Plaintiff personally suffered each violation alleged in this Complaint, as required by
2 the 2024 PAGA reform (AB 2288/SB 92).

3 ***B. Defendant***

4 6. Defendant is an employer within the meaning of Government Code section 12926(d)
5 and the California Labor Code, regularly employing five or more persons and subject to the
6 provisions of the Fair Employment and Housing Act and the Labor Code. Defendant acted
7 through its officers, directors, and agents, including Dan Stueve (Senior Vice President, General
8 Manager, Broker Associate), in implementing and maintaining the unlawful pre-employment
9 testing practices described herein.

10 7. At all times mentioned herein, each Defendant was the agent and employee of each and
11 all of the other Defendants and was acting in the course of such agency and employment.

12 **III. JURISDICTION AND VENUE**

13 8. This Court has subject-matter jurisdiction over this action pursuant to the California
14 Constitution, Article VI, Section 10, and California Code of Civil Procedure section 410.10. The
15 statutes under which this action is brought do not specify any other basis for jurisdiction.

16 9. This Court has jurisdiction over Defendant because Defendant is a California
17 corporation that conducts substantial business activities in California, with its principal office in
18 Los Angeles County, and actively recruits California residents for employment.

19 10. Venue is proper in this Court because Defendant resides, transacts business, and
20 maintains offices in Los Angeles County, and the acts and omissions giving rise to this action
21 occurred in Los Angeles County.

22 **IV. ADMINISTRATIVE EXHAUSTION**

23 11. On March 28, 2026, Plaintiff provided written notice by electronic submission to the
24 California Labor and Workforce Development Agency (LWDA) and by certified mail to
25 Defendant of the specific provisions of the Labor Code alleged to have been violated, including
26 the facts and theories to support the alleged violations, as required by Labor Code section 2699.3.

27 12. The PAGA notice identified violations of Labor Code sections 432, 432.5, 98.6, and
28 432.7, and provided the factual and legal theories supporting each alleged violation.

13. As of the date of filing of this Complaint, more than 65 days have passed since the postmark date of the written notice to the LWDA, and Plaintiff has not received notification from the LWDA that it intends to investigate the alleged violations. Accordingly, Plaintiff has exhausted administrative remedies as required by Labor Code section 2699.3 and is authorized to commence this civil action.

V. FACTUAL ALLEGATIONS

Background and Defendant's Unlawful Testing Protocol

14. Defendant utilizes a pre-employment testing system administered by third-party vendor The Abelson Group that systematically requires all job applicants to complete mandatory psychometric assessments after initial interviews but before making conditional offers of employment. This testing protocol requires applicants who have already demonstrated their job-related qualifications during substantive interviews to complete the TTI Talent Insights – Behaviors & Motivators Management/Staff Version assessment as a mandatory prerequisite for further consideration.

15. The TTI Talent Insights assessment is a sophisticated psychometric instrument that constitutes a comprehensive psychological examination measuring four behavioral dimensions (Dominance, Influence, Steadiness, and Compliance) and six motivational drivers (Theoretical, Utilitarian, Aesthetic, Social, Individualistic, and Traditional). The assessment generates detailed psychological profiles through standardized normative comparisons, including “Style Insights Graphs” plotting “Adapted Style” versus “Natural Style,” behavioral continuums, and motivational rankings categorizing candidates as “Strong,” “Situational,” or “Indifferent” across six psychological dimensions.

16. The assessment’s behavioral measurements inherently capture information about cognitive processing, attention management, social interaction patterns, and stress responses, all of which are directly related to mental health conditions and neurodevelopmental characteristics protected under FEHA. The assessment generates sections titled “Behavioral Characteristics,” “Keys to Motivating,” “Keys to Managing,” “Ideal Environment,” “Potential Behavioral & Motivational Conflict,” and “Navigating Situations Outside of Your Comfort Zone,”

1 demonstrating that it measures deep psychological characteristics rather than job-specific
2 competencies.

3 17. Defendant has provided no validation study, criterion validity analysis, or job-
4 relatedness documentation demonstrating how the TTI Talent Insights assessment relates to the
5 essential functions of the Marketing Coordinator position or any other specific position for which
6 the assessment is administered. The Abelson Group's marketing materials demonstrate that the
7 assessment is marketed for generic use across unlimited job categories without position-specific
8 validation, in violation of California Code of Regulations, Title 2, section 11072(b)(1).

9 **The Ex-Ante Timing Violation**

10 18. The critical structural feature of this case is the ex-ante timing of the psychometric
11 examination. Defendant administers the TTI Talent Insights assessment before extending any
12 conditional offer of employment, as a mandatory condition of further consideration. This
13 sequencing violates California Code of Regulations, Title 2, section 11071(a), which provides
14 that it is unlawful for an employer to conduct a medical or psychological examination or inquiries
15 of an applicant before an offer of employment is extended.

16 19. The ex-ante timing is independently significant for the PAGA predicate analysis
17 because the violations under Labor Code sections 432 and 432.5 are complete at the moment
18 Defendant presents the unlawful examination as a condition of employment consideration. This
19 timing architecture eliminates dependence on adverse action, captures aggrieved employees and
20 applicants who were hired after taking the exam (and therefore never experienced adverse action),
21 and creates a universal predicate spanning all aggrieved populations.

22 **Plaintiff's Application and Protected Activity**

23 20. On January 13, 2026, Plaintiff applied for the Marketing Coordinator position with
24 Defendant through Indeed.com. The position offered compensation of \$28.00 to \$33.00 per hour
25 plus comprehensive benefits including health insurance, dental insurance, vision insurance, life
26 insurance, 401(k) with employer matching, and paid time off.

27 21. On January 16, 2026, Plaintiff participated in a Zoom video interview with Dan Stueve,
28 Defendant's Senior Vice President, and General Manager. Dan Stueve evaluated Plaintiff's

1 qualifications, experience, and professional presentation and determined that Plaintiff was an
2 excellent fit for the Marketing Coordinator position. Dan Stueve's determination to advance
3 Plaintiff to the next stage of the hiring process confirms that Plaintiff's job-related qualifications
4 had been thoroughly evaluated and deemed satisfactory.

5 22. On January 21, 2026, Dan Stueve sent Plaintiff an email requiring completion of the
6 TTI Talent Insights assessment as a mandatory prerequisite to advance in the hiring process. The
7 email attached instructions from The Abelson Group for "Equity Union (BHMT-Staff & MS)"
8 with Response Link 234789XGX, requiring completion of the "TTI Talent Insights – Behaviors
9 & Motivators Management/Staff Version." This communication established the mandatory, pre-
10 offer nature of the psychometric assessment.

11 23. On January 22, 2026, Plaintiff engaged in protected activity under both FEHA
12 (Government Code section 12940(h)) and Labor Code section 98.6 by sending a detailed email to
13 Dan Stueve questioning the legality of the pre-offer psychometric assessment, requesting
14 reasonable accommodation information, and inquiring about test validation, data privacy, and
15 automated decision system compliance. Plaintiff explicitly maintained his interest in the position,
16 stating: "I remain very interested in the opportunity and would appreciate any information you
17 can provide."

18 24. Following Plaintiff's protected activity on January 22, 2026, Defendant immediately
19 ceased all communication with Plaintiff, provided no response to any of Plaintiff's five specific
20 inquiries, failed to engage in any good faith interactive process regarding accommodation
21 requests as required by FEHA, and silently rejected Plaintiff's application. On February 6, 2026,
22 fifteen days after Plaintiff's protected activity, Plaintiff discovered that Defendant had changed
23 his application status on Indeed.com to "Not selected by employer" without any direct
24 notification.

25 VI. PAGA REPRESENTATIVE ACTION DESIGNATION

26 25. Plaintiff re-alleges and incorporates by reference the allegations contained in the
27 paragraphs above, as though fully set forth herein
28

1 26. This action is properly suited for a PAGA representative action because: (a) Pursuant to
2 Labor Code section 2699(a), any provision of the Labor Code that provides for a civil penalty to
3 be assessed and collected by the LWDA, for a violation of the Labor Code, may, as an alternative,
4 be recovered through a civil action brought by an aggrieved employee or applicant on behalf of
5 himself or herself and all other current or former employees and applicants pursuant to the
6 procedures specified in section 2699.3; (b) Plaintiff is an “aggrieved employee and applicant”
7 because Defendant subjected him to the alleged violations; (c) Plaintiff satisfied the procedural
8 requirements of Labor Code section 2699.3 by providing written notice to the LWDA and
9 Defendant of the specific violations, facts, and theories supporting each alleged violation; (d)
10 More than 65 days have passed since Plaintiff served notice to the LWDA and Defendant, and the
11 LWDA has not indicated it intends to investigate; (e) Plaintiff has therefore satisfied all
12 administrative requirements to pursue civil penalties against Defendant pursuant to Labor Code
13 sections 2698–2699.5.

14 27. PAGA imposes no class certification requirement and no requirement that the
15 aggrieved employee or applicant proceeds through counsel. It is a representative action by statute.
16 Aggrieved employees and applicants may file and pursue PAGA claims in propria persona. The
17 only gatekeeping mechanism is the LWDA notice and 65-day review period under Labor Code
18 section 2699.3.

19 **VII. FIRST CAUSE OF ACTION**
20 **REPRESENTATIVE CLAIMS UNDER THE CALIFORNIA LABOR CODE**
21 **PRIVATE ATTORNEYS GENERAL ACT (PAGA)**
22 **(Labor Code Section 2698, et seq.)**

23 28. Plaintiff re-alleges and incorporates by reference the allegations contained in the
24 paragraphs above, as though fully set forth herein.

25 29. Pursuant to Labor Code section 2699(a), any provision of the Labor Code that provides
26 for a civil penalty to be assessed and collected by the LWDA or any of its departments, divisions,
27 commissions, boards, agencies, or employees for violation of the Labor Code may, as an
28 alternative, be recovered through a civil action brought by an aggrieved employee or applicant on

1 behalf of himself or herself and other current or former employees and applicants pursuant to the
2 procedures specified in Labor Code section 2699.3.

3 30. This cause of action involves allegations of violations of Labor Code sections 432,
4 432.5, 98.6, and 432.7, which pursuant to Labor Code section 2699.5, provide for civil penalties
5 to be assessed and collected by the LWDA or recovered through a civil action brought by an
6 aggrieved employee or applicant.

7 31. Defendant recruited Plaintiff and Plaintiff had one or more of the alleged violations
8 committed against him. Therefore, Plaintiff is an “aggrieved applicant” under PAGA because
9 Defendant committed the alleged violations against him. As such, Plaintiff is properly suited to
10 represent the interests of other aggrieved employees and applicants in a PAGA representative
11 action. Plaintiff has personally suffered each violation alleged herein.

12 32. Plaintiff has exhausted his obligation to provide administrative notice and now seeks
13 the recovery of all available civil penalties under Labor Code section 2699(a).

14 **Labor Code Section 432**

15 33. Defendant violated Labor Code section 432 by requiring Plaintiff and other aggrieved
16 employees and applicants to submit to an unlawful psychometric and psychological examination,
17 specifically the TTI Talent Insights – Behaviors & Motivators assessment, as a mandatory
18 prerequisite to employment or continuation of employment consideration, thereby compelling
19 submission to an unlawful condition and compelling waiver of rights established under FEHA
20 and CCR Title 2. The violation was complete at the moment the assessment was presented as a
21 condition of the employment process, regardless of whether the applicant completed the
22 assessment or experienced any subsequent adverse action. Under Labor Code section 2699(f)(2),
23 Defendant is subject to a civil penalty of \$100 for each aggrieved employee and applicant per pay
24 period for the initial violation and \$200 for each aggrieved employee and applicant per pay period
25 for each subsequent violation.

26 **Labor Code Section 432.5**

27 34. Defendant violated Labor Code section 432.5 by imposing an illegal term or condition,
28 namely the mandatory pre-offer psychometric examination, as a prerequisite to employment or

1 continued employment consideration. The examination is unlawful at the pre-offer stage under
2 CCR Title 2, sections 11071(a), 11070, and 11017. The violation under section 432.5 is complete
3 at the moment the illegal condition is presented, independent of any subsequent adverse action.
4 Under Labor Code section 2699(f)(2), Defendant is subject to a civil penalty of \$100 for each
5 aggrieved employee and applicant per pay period for the initial violation and \$200 for each
6 aggrieved employee and applicant per pay period for each subsequent violation.

7 **Labor Code Section 98.6**

8 35. Defendant violated Labor Code section 98.6 by retaliating against Plaintiff for asserting
9 rights under the Labor Code and exercising FEHA protections, specifically by opposing
10 Defendant's unlawful pre-offer psychometric testing practices and requesting reasonable
11 accommodation information. Section 98.6 expressly covers applicants for employment. Plaintiff
12 engaged in protected activity on January 22, 2026, by formally questioning the legality of the pre-
13 offer assessment and requesting accommodations. Within fifteen days, Defendant silently rejected
14 Plaintiff's application without any direct notification. Under Labor Code section 98.6(e), as
15 amended by Senate Bill 497 (effective January 1, 2024), adverse action within 90 days of
16 protected activity creates a rebuttable presumption of retaliation. Defendant's rejection within
17 fifteen days triggers this statutory presumption. Under Labor Code section 2699(f)(2), Defendant
18 is subject to a civil penalty of \$100 for each aggrieved employee and applicant per pay period for
19 the initial violation and \$200 for each aggrieved employee and applicant per pay period for each
20 subsequent violation.

21 **Labor Code Section 432.7**

22 **(Conditional, Subject to Verification of Exam Content)**

23 36. Labor Code section 432.7 prohibits an employer from inquiring into or using arrest
24 records, sealed convictions, or certain criminal history information in connection with
25 employment decisions. This predicate is included conditionally because Plaintiff declined to
26 complete the TTI Talent Insights assessment and therefore does not have full visibility into every
27 question, data field, or scoring component contained within the instrument.
28

1 37. To understand why this matters, it is important to understand how the assessment
2 works in practice. According to The Abelson Group's own instructions, any applicant who takes
3 this assessment must first scroll to the bottom of an "Assessment Instructions" screen and click "I
4 Agree," then complete a personal information section and "check the box that you have read and
5 understand the agreement." In other words, applicants are required to electronically sign an
6 agreement before they can even see the questions on the assessment. They do not know what they
7 are agreeing to disclose until after they have already consented. They are signing blind.

8 38. Making this worse, the applicant never receives a copy of the completed assessment or
9 the results. The Abelson Group's instructions state plainly: "The report is emailed directly to the
10 account holder." The "account holder" is the employer, not the applicant. So, the person who
11 takes the test answers the questions, and electronically signs the agreement never gets to see what
12 the test actually said about them, what data was collected, or how the employer used that data to
13 make a hiring decision. The employer receives a detailed psychological profile spanning dozens
14 of pages. The applicant receives nothing.

15 39. This one-sided arrangement is exactly why section 432.7 must be preserved as a
16 conditional predicate. Because applicants are required to electronically sign an agreement before
17 seeing the questions, and because they never receive a copy of the instrument or their results,
18 there is no way for any applicant to know whether the assessment contains questions that directly
19 or indirectly inquire into criminal history, arrest records, or conviction data. Plaintiff is informed
20 and believes, and thereon alleges, that the TTI Talent Insights assessment may contain questions,
21 data fields, or scoring components that collect or incorporate prohibited criminal history
22 information, whether through direct questions about arrests or convictions, through indirect
23 behavioral questions designed to elicit or proxy for that information, or through integrated
24 background screening components bundled into the assessment platform.

25 40. If the instrument does collect or incorporate such prohibited information, then every
26 applicant who was required to take this assessment was subjected to an unlawful inquiry in
27 violation of section 432.7, and they would have had no way of knowing it because they never
28 received a copy of the test or the results. This allegation is subject to verification through

1 discovery of the complete assessment instrument, the full question set presented to applicants, all
2 scoring methodologies, data fields, and any integrated components that collect or incorporate
3 criminal history information. Under Labor Code section 2699(f)(2), Defendant is subject to a civil
4 penalty of \$100 for each aggrieved employee and applicant per pay period for the initial violation
5 and \$200 for each aggrieved employee and applicant per pay period for each subsequent
6 violation.

7 **Note on CCR Title 2 as Supporting Authority**

8 41. Although California Code of Regulations, Title 2, sections 11017, 11070, and 11071
9 cannot serve as standalone PAGA predicates (because their enforcement authority derives
10 exclusively from Government Code section 12935(a) and the FEHA regulatory chain, not from
11 any Labor Code grant), they remain essential as the substantive legal standard establishing that
12 Defendant's conduct was unlawful. These CCR provisions define what Defendant was prohibited
13 from doing; Labor Code sections 432 and 432.5 provide the enforcement predicates by
14 prohibiting the imposition of those unlawful conditions, and section 98.6 provides the retaliation
15 predicate for applicants who assert FEHA rights.

16 **Penalty Framework**

17 42. For all provisions of the Labor Code for which a civil penalty is not specifically
18 provided, Labor Code section 2699(f) imposes upon Defendant a penalty of one hundred dollars
19 (\$100.00) for each aggrieved employee and applicant per pay period for the initial violation and
20 two hundred dollars (\$200.00) for each aggrieved employee and applicant per pay period for each
21 subsequent violation.

22 43. Defendant's systematic imposition of unlawful pre-offer psychometric assessments on
23 all applicants, combined with its retaliatory conduct against applicants who challenge these
24 practices, exposes Defendant to substantial aggregate penalties across the entire aggrieved
25 workforce and applicant pool. The aggrieved population includes all applicants and employees
26 subjected to the TTI Talent Insights assessment at the pre-offer stage during the applicable one-
27 year statutory period (one year and 65 days before the filing of this Complaint, per the 2024
28 PAGA reform).

1 **PRAYER FOR RELIEF**

2 **WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

- 3 1. For civil penalties to the extent permitted by law pursuant to the Labor Code under the
4 Private Attorneys General Act for Defendant's violations of Labor Code sections 432,
5 432.5, 98.6, and 432.7;
- 6 2. For civil penalties for each initial and subsequent violation for each aggrieved employee
7 and applicant for each pay period for which a violation occurred;
- 8 3. For reasonable attorney's fees and costs of suit incurred herein to the extent permitted by
9 law, including pursuant to Labor Code section 2699(g)(1);
- 10 4. For injunctive relief requiring Defendant to cease its unlawful pre-offer psychometric
11 testing practices;
- 12 5. For such other and further relief as this Court deems just and proper.

13 **JURY TRIAL DEMAND**

14 Plaintiff hereby demands a trial by jury on all causes of action to the extent authorized by law.

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16 Dated: March 28, 2026

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20 By: /s/ Tsang Han Wang
21 Tsang Han Wang, Plaintiff in Pro Per
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