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**FILED**

JUL 05 2023

DEPARTMENT OF REAL ESTATE

By J. Taggart

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

JOSHUA MORRIS YAGUDA,

Respondent.

No. H-2276 FR

ORDER DENYING REINSTATEMENT OF LICENSE

On December 8, 2010, in Case No. H-2276 FR, an Order was executed which accepted the petition for the voluntary surrender of the real estate broker license of Respondent. The Order became effective on February 10, 2011.

On October 11, 2022, Respondent petitioned for reinstatement of said real estate broker license, and the Attorney General of the State of California has been given notice of the filing of said petition.

The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and integrity than an applicant for first time licensure. The proof must be sufficient to overcome the prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

I have considered the petition of Respondent and the evidence submitted in support thereof.

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1 The Department has developed criteria in Section 2911 of Title 10, California  
2 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for  
3 reinstatement of a license. Among the criteria relevant in this proceeding are:

4 **Regulation 2911(2) Restitution to any person who has suffered monetary**  
5 **losses through "substantially related" acts or omissions of the applicant.**

6 Respondent still owes restitution to the victims from his criminal conviction.

7 **Regulation 2911(3) Expungement of criminal convictions resulting from**  
8 **immoral or antisocial acts.**

9 Respondent has not had his felony conviction expunged.

10 **Regulation 2911(10) Discharge of, or bona fide efforts toward discharging,**  
11 **adjudicated debts or monetary obligations to others.**

12 Respondent still owes restitution to the victims from his criminal conviction.

13 Respondent has failed to demonstrate to my satisfaction that Respondent has  
14 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate  
15 broker license at this time.


16 Given the violations found and the fact that Respondent has not established that  
17 Respondent has satisfied Regulations 2911(2), (3), and (10), I am not satisfied that Respondent is  
18 sufficiently rehabilitated to receive a real estate broker license.

19 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for  
20 reinstatement of Respondent's real estate broker license is denied.

21 This Order shall become effective at 12 o'clock noon on JUL 25 2023

22 IT IS SO ORDERED 6/13/2023

23 DOUGLAS R. McCAULEY  
24 REAL ESTATE COMMISSIONER

25   
26 By: Marcus L. McCarther  
27 Chief Deputy Real Estate Commissioner