

FILED

JAN 09 2017

BUREAU OF REAL ESTATE

By S. Blech

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Accusation of

BIC DE PHO,

No. H-10082 SF

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On August 1, 2011, a Decision was rendered in Case No. H-10082 SF revoking the real estate broker license of Respondent effective August 22, 2011.

On January 20, 2016, 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.

///

///

1 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
2 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(j) Discharge of, or bona fide efforts toward discharging,
5 adjudicated debts or monetary obligations to others.

6 Respondent has an outstanding judgment in the amount of \$18,297.36 and has
7 failed to make bona fide efforts towards this debt, respectively.

8 Regulation 2911(k) Correction of business practices resulting in injury to others
9 or with the potential to cause such injury.

10 Current employment was unable to be verified to demonstrate correction of
11 business practices.

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

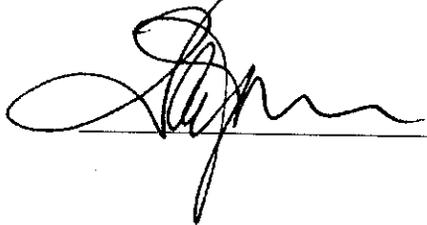
15 Given the violations found and the fact that Respondent has not established that
16 Respondent has satisfied Regulations 2911(j) and (k), I am not satisfied that Respondent is
17 sufficiently rehabilitated to receive a real estate broker license.

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

20 This Order shall become effective at 12 o'clock noon on JAN 31 2017

21 IT IS SO ORDERED

22 1/6/2017
23 WAYNE S. BELL
24 REAL ESTATE COMMISSIONER

25 
26
27