

FILED

FEB 03 2021

DEPARTMENT OF REAL ESTATE
By S. Black

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

ROSANA EYVAZNEJAD,

Respondent.

No. H-11401 SF

ORDER DENYING REINSTATEMENT OF LICENSE

On April 16, 2013, a Decision was rendered in Case No. H-11404 SF revoking the mortgage loan endorsement of Respondent effective May 13, 2013, but granting Respondent the right to the issuance of restricted mortgage loan endorsement. A restricted mortgage loan endorsement was issued to Respondent on May 13, 2013, and Respondent has held a restricted mortgage loan endorsement since that time.

On November 12, 2019, Respondent petitioned for reinstatement of said mortgage loan endorsement, 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).

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

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

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

8 Respondent is unable to provide proof that restitution has been paid to all parties
9 directed by the Stipulation and Agreement which was the direct result of the license discipline.

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

12 Respondent has an outstanding federal tax lien in the amount of \$68,000.00, and
13 has not made an effort to pay or set up payment arrangements to discharge this debt.

14 Respondent has failed to demonstrate to my satisfaction that Respondent has
15 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's a mortgage loan
16 endorsement at this time.

17 Given the violations found and the fact that Respondent has not established that
18 Respondent has satisfied Regulations 2911(2) and 2911(10), I am not satisfied that Respondent is
19 sufficiently rehabilitated to receive a mortgage loan endorsement.

20 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
21 reinstatement of Respondent's a mortgage loan endorsement is denied.

22 This Order shall become effective at 12 o'clock noon on

FEB 24 2021

23 IT IS SO ORDERED

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24 DOUGLAS R. McCAULEY
25 REAL ESTATE COMMISSIONER

26
27 Douglas R. McCauley