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FILED

DEC 17 2012

DEPARTMENT OF REAL ESTATE
BY: *R. Mederholt*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
MIN YOUNG CHUNG,
Respondent.

No. H-33491 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On May 16, 2007, a Decision was rendered revoking the real estate broker license of Respondent MIN YOUNG CHUNG aka Richard Chung, but granting the right to apply for a restricted broker license. A restricted broker license was issued to Respondent on June 12, 2007.

On or about September 2, 2010, Respondent petitioned for reinstatement of said real estate broker license.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate broker license at this time.

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

1 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

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

5 Regulation 2911(l) - Significant or conscientious involvement in community,
6 church or privately-sponsored programs designed to provide social benefits or to ameliorate
7 social problems.

8 Respondent has not provided evidence of qualifying community service activities.

9 Regulation 2911(n)(1)—change in attitude

10 Respondent failed to notify the Department of Real Estate that a real estate
11 salesperson was discharged for cause. Respondent failed to disclose all bankruptcies and civil
12 cases in his Petition Application.

13 Given the violations found and the fact that Respondent has not established that
14 Respondent has complied with Regulations 2911 (l) and (n)(1) , I am not satisfied that
15 Respondent is sufficiently rehabilitated to receive a real estate broker license.

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


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

JAN - 7 2013

19 IT IS SO ORDERED _____

8/11/2012

20 REAL ESTATE COMMISSIONER

21 
22 _____
23 By WAYNE S. BELL
24 Chief Counsel