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FILED

SEP 12 2013

BUREAU OF REAL ESTATE

By Norma Smith

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

RICHARD LEON MORRIS,

Respondent.

No. H-35465 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On December 30, 2009, a Decision was rendered revoking the real estate broker license of Respondent, but granting Respondent the right to apply for a restricted salesperson license. The restricted salesperson license was not issued.

On April 19, 2012, 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 removal of restrictions of a license. Among the criteria relevant in this proceeding are:

5 Regulation 2911(j)—Discharge of, or bona fide efforts toward discharging debts
6 or monetary obligations

7 Respondent has a federal tax lien of \$23,416 from 2010, and a state tax lien of
8 \$4,209 from 2011.

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

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

13 Regulation 2911(n) - Change in attitude from that which existed at the time of the
14 conduct in question as evidenced by any or all of the following:

15 (1) Testimony of applicant.

16 Respondent failed to disclose in the Petition Application the federal and
17 state tax liens.

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

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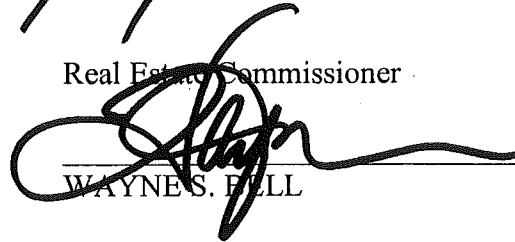
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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
reinstatement of Respondent's real estate broker license is denied.

This Order shall become effective at 12 o'clock noon on OCT 02 2013.

IT IS SO ORDERED 7/22/2013

Real Estate Commissioner



WAYNE S. BELL