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FILED

JUN 21 2018

BUREAU OF REAL ESTATE

By R. P. [Signature]

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

RODRIGO CHAVEZ,

Respondent.

No. H-35736 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On December 30, 2009, a Decision was rendered in Case No. H-35736 LA, revoking the real estate salesperson license of Respondent effective February 2, 2010, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on February 2, 2010, and Respondent has held a restricted licensee since that time.

On October 16, 2017, Respondent petitioned for reinstatement of said real estate salesperson 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).

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

3 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
4 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 **2911. Criteria of Rehabilitation**

7 **(a)(10) Discharge of, or bona fide efforts toward discharging, adjudicated debts or**
8 **monetary obligations to others.**

9 On or about June 16, 2015, before the Superior Court of California, County of
10 Orange, Case No. 30-2014-00725253, a civil judgment of \$50,000 was entered against
11 Respondent.

12 On or December 1, 2006, the County of San Bernardino issued tax liens of \$167
13 and \$203 against Respondent.

14 On or November 19, 2008, the County of San Bernardino issued tax liens of \$238
15 and \$422 against Respondent.

16 Respondent has offered no evidence of discharging, or bona fide efforts towards
17 discharging these monetary obligations.

18 **(a)(12) Significant or conscientious involvement in community, church or**
19 **privately-sponsored programs designed to provide social benefits or to ameliorate social**
20 **problems.**

21 In response to Question 12 on his Enforcement Petition Application, to wit: "Are
22 you or have you been active in social, civic or community groups?" Respondent answered "no".

23 Respondent has failed to demonstrate to my satisfaction that Respondent has
24 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate
25 salesperson license at this time.

26 Given the violations found and the fact that Respondent has not established that
27 Respondent has satisfied Regulations 2911(a)(10) and (a)(12), I am not satisfied that Respondent

1 is sufficiently rehabilitated to receive a real estate salesperson license.

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

JUL 11 2018

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

5 IT IS SO ORDERED June 15, 2018

6 WAYNE S. BELL
7 REAL ESTATE COMMISSIONER

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9

10 By: DANIEL J. SANDRI
11 Chief Deputy Commissioner