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FILED

JAN 03 2014

BUREAU OF REAL ESTATE

By J. Amoli

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Accusation of
DIONETTE MONE FERGUSON,
Respondent.

No. H-36503 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On June 17, 2010, a Decision was rendered revoking the real estate broker license of Respondent.

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

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 monetary obligations to others

6 Respondent has not provided proof of satisfaction of small claims liens from
7 1998, 1997, and 1995.

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

11 Respondent has not provided proof of community involvement.

12 Regulation 2911(m)—New and different social and business relationships from
13 those that existed at the time of the conduct that is the basis for denial of the departmental
14 action sought

15 Respondent has not developed new and different social and business relationships.

16 Regulation 2911(n)(1)—Change of attitude from that which existed at the time of
17 the conduct in question as evidenced by any or all of the following:

18 (1) Testimony of applicant.

19 Respondent has no change in attitude and failed to take complete responsibility
20 for her actions.

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

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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 **JAN 24 2014**

IT IS SO ORDERED **JAN 02 2014**

REAL ESTATE COMMISSIONER


By: JEFFREY MASON
Chief Deputy Commissioner