

FILE

FILED

MAY 10 2021

DEPT. OF REAL ESTATE
By *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

CHRISTOPHER ANTHONY ZARBO,

No. H-37358 LA

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On May 29, 2012, in Case No. H-37358 LA, an Order was executed which accepted the petition for the voluntary surrender of the real estate salesperson license of Respondent. The Order became effective on June 26, 2012.

On January 13, 2020, 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).

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

1 The Department has developed criteria in Section 2911 of Title 10, California
2 Code of 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 **2911. Criteria for Rehabilitation**

5 *(a)(2) Restitution to any person who has suffered monetary losses through*
6 *substantially related" acts or omissions of the applicant, or escheat to the State of*
7 *these monies or other properties if the victim(s) cannot be located.*

8 There is no evidence of restitution of the \$37,900 in illegal advance fees collected
9 by Respondent and CJ Financial & Consulting, Inc, as set forth in Case No.
10 H-37358 LA.

11 *(a)(9) Completion of, or sustained enrollment in, formal education or vocational*
12 *training courses for economic self-improvement.*

13 Respondent has offered no evidence of completing any such courses.

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

16 On August 14, 2019, the State of California filed a tax lien for \$36,201 against
17 Respondent. On August 22, 2018, the State of California filed a tax lien for
18 \$2,971 against Respondent. There is no evidence of discharge, or bona fide
19 efforts towards discharge, of these debts.

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

23 Given the violations found and the fact that Respondent has not established that
24 Respondent has satisfied Regulations 2911(a)(2), (a)(9), and (a)(10), I am not satisfied that
25 Respondent is sufficiently rehabilitated to receive a real estate salesperson license.

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

This Order shall become effective at 12 o'clock noon on 5/30/2021.

IT IS SO ORDERED 5.4.21

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley