

FILED

APR 11 2017

BUREAU OF REAL ESTATE

By S. BLACK

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Application of

ALMA MULGADO,

No. H-1879 FR

Respondent.

ORDER DENYING REMOVAL OF RESTRICTIONS ON LICENSE

On February 14, 2006, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, 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 March 11, 2006, and Respondent has held a restricted license since that time.

On August 10, 2016, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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 Respondent's petition and the evidence submitted in support thereof.

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 issuance
3 or 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 adjudicated debts or monetary obligations to others.

6 Respondent has failed to make a bona fide effort towards discharging or repaying
7 a 2012 civil judgment in the amount of \$3,540.01, respectively.

8 Respondent has failed to demonstrate to my satisfaction that Respondent has
9 undergone sufficient rehabilitation to warrant the removal of the restrictions on Respondent's real
10 estate salesperson license at this time.

11 Given the fact that Respondent has not established that Respondent has complied
12 with Regulations 2911(j), I am not satisfied that Respondent is sufficiently rehabilitated to
13 receive an unrestricted salesperson license.

14 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
15 restrictions on Respondent's real estate salesperson license is denied.

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

MAY 02 2017

17 DATED

4/9/2017

18 WAYNE S. BELL
19 REAL ESTATE COMMISSIONER

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