

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED

AUG 6 2013

BUREAU OF REAL ESTATE

By *[Signature]*

BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

THOMAS CHRISTOPHER LINDEMANN,

Respondent.

No. H-2445 FR

ORDER DENYING REINSTATEMENT OF LICENSE

On April 26, 2010, a Decision was rendered in Case No. H-2445 FR revoking the real estate broker license of Respondent effective May 18, 2010, but granting Respondent the right to the issuance of a restricted real estate broker license. A restricted real estate broker license was issued to Respondent on May 18, 2010, and Respondent has operated as a restricted licensee since that time.

On June 29, 2012, Respondent petitioned for reinstatement of said real estate broker 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

///

1 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
2 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

3 I have considered the petition of Respondent and the evidence submitted in
4 support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has
5 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate
6 broker license at this time.

7 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
8 Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
9 reinstatement of a license. Among the criteria relevant in this proceeding are:

10 Regulation 2911(j) Discharge of, or bona fide efforts toward discharging,
11 adjudicated debts or monetary obligations to others.

12 Respondent continues to have an outstanding debt of \$18,959.61 and has
13 provided no evidence of any attempts to pay the debt or the implementation of any plan to pay
14 the debt.

15 Given the violations found and the fact that Respondent has not established that
16 Respondent has satisfied Regulations 2911(j), I am not satisfied that Respondent is sufficiently
17 rehabilitated to receive a plenary real estate broker license.

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

20 This Order shall become effective at 12 o'clock noon on AUG 26 2013.

21 IT IS SO ORDERED July 31, 2013

22 REAL ESTATE COMMISSIONER

23 
24

25 **By: JEFFREY MASON**
26 **Chief Deputy Commissioner**
27