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FILED

SEP 04 2013

BUREAU OF REAL ESTATE

By Monica

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Application of
JON SCOTT MC QUILLEN,
Respondent.

H-2848 SD

ORDER DENYING REMOVAL OF RESTRICTIONS

On September 4, 2011, a Decision was rendered denying Respondent's license application, but granting Respondent the right to a restricted real estate salesperson license. Said license was issued October 9, 2003 and Respondent has held a restricted license since that time.

On October 5, 2011, Respondent petitioned for removal of restrictions from said real estate salesperson 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 removal of restrictions from Respondent's real estate salesperson license at this time.

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1 The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State*
2 *Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and
3 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
4 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

5 The Department has developed criteria in Section 2911 of Title 10, California
6 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
7 removal of restrictions from a license. Among the criteria relevant in this proceeding are:

8 Regulation 2911(j) – Discharge of, or bona fide efforts toward discharging,
9 adjudicated debts or monetary obligations

10 Respondent has unpaid state, Federal and county tax liens, and unpaid civil
11 judgments to Ty Hufford, American General Financial Services, Inc. and Monish International,
12 Inc.

13 Regulation 2911(l)-Significant or conscientious involvement in community,
14 church or privately sponsored programs

15 Respondent has not provided proof of such involvement.

16 Regulation 2911(n)(1)—Change in attitude

17 Respondent has not provided the Department of Real Estate with all requested
18 information including letters of reference.

19 Given the violations found and the fact that Respondent has not established that
20 Respondent has complied with Regulations 2911 (j), (l) and (n)(1), I am not satisfied that
21 Respondent is sufficiently rehabilitated for removal of restrictions from real estate salesperson
22 license.

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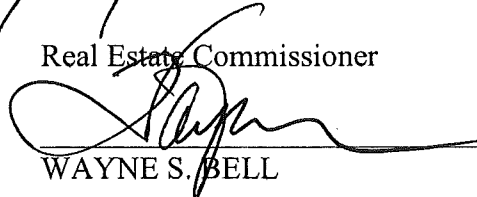
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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
restrictions on Respondent's real estate license is denied.

This Order shall become effective at 12 o'clock noon on **SEP 24 2013**.

IT IS SO ORDERED 7/12/2013

Real Estate Commissioner


WAYNE S. BELL