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**FILED**

DEC 17 2011

DEPARTMENT OF REAL ESTATE

By [Signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

ERIC HARRY HULSE,

Respondent.

No. H-3322 SAC

ORDER DENYING REINSTATEMENT OF LICENSE

On July 8, 1998, in Case No. H-3322 SAC, a Decision was rendered revoking the real estate broker license of Respondent effective August 4, 1998, but granting Respondent the right to the issuance of a restricted salesperson license. No restricted salesperson license was ever issued to Respondent.

On March 11, 2011, 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 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 I have considered the petition of Respondent and the evidence submitted in  
2 support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has  
3 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate  
4 broker license at this time.

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 reinstatement of 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 to others.

10 Respondent has outstanding judgments against him totalling approximately  
11 \$2,000 and, in addition, has a federal tax lien against him of approximately \$50,000.

12 Regulation 2911(l) Significant or conscientious involvement in community,  
13 church or privately-sponsored programs designed to provide social benefits or to ameliorate  
14 social problems.

15 Respondent has provided no evidence that he has any significant or conscientious  
16 involvement in community, church or privately-sponsored programs designed to provide social  
17 benefits or to ameliorate social problems.

18 Given the violations found and the fact that Respondent has not established that  
19 Respondent has satisfied Regulations 2911(j) and (l), I am not satisfied that Respondent is  
20 sufficiently rehabilitated to receive a real estate broker license.

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

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

JAN 06 2012

24 IT IS SO ORDERED

12/7/11

25 BARBARA J. BIGBY

26 Acting Real Estate Commissioner

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