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FILED

APR 29 2025

DEPT. OF REAL ESTATE
By R. P. S. Kelly

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

MICHAEL ANTHONY BRUNNHÖELZL,

Respondent.

No. H-05093 SD

ORDER DENYING REINSTATEMENT OF LICENSE

On May 26, 2020, a Decision was rendered in Case No. H-05093 SD revoking the real estate broker license of Respondent effective June 29, 2020, 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 June 29, 2020, and Respondent has held a restricted licensee since that time.

On September 22, 2022, 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).

I have considered the petition of Respondent and the evidence submitted in

1 support thereof.

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

5
6 **2911. Criteria for Rehabilitation**

7 *(11) Correction of business practices resulting in injury to others or with the
8 potential to cause such injury.*

9 On March 27, 2025, before the Department of Real Estate, in Case No.
10 H-05814 SD, an Order for a 90-day stayed suspension of Respondent's license
11 was issued for violation of California Business and Professions Code sections
12 10130, 10145, 10148 and 10159.5 and Regulations sections 2731, 2831, 2831.1,
13 2831.2, 2832, 2832.1 and 2835.

14 Many of these same violations were previously found in Case No. H-05093 SD.

15 *(12) Significant or conscientious involvement in community, church or privately-
16 sponsored programs designed to provide social benefits or to ameliorate social
17 problems.*

18 Respondent has offered no evidence of involvement in any such programs.

19 *(14) Change in attitude from that which existed at the time of the conduct in
20 question as evidenced by the following:*

21 *(E) Absence of subsequent felony convictions, misdemeanor convictions, or other
22 conduct that provides grounds to discipline a real estate licensee, which reflect an
23 inability to conform to societal rules when considered in light of the conduct in
24 question.*

25 The facts underlying Case No. H-05814 SD provided grounds for license
26 discipline.

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

Given the violations found and the fact that Respondent has not established that
Respondent has satisfied Regulations 2911(a)(11), (a)(12), and (a)(14)(E), I am not satisfied that

1 Respondent is sufficiently rehabilitated to receive a real estate broker license.

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

4 This Order shall become effective at 12 o'clock noon on 5-19-2025.

5 IT IS SO ORDERED 4/24/2025

6 CHIKA SUNQUIST
7 REAL ESTATE COMMISSIONER

8 

9 By: Marcus L. McCarther
10 Chief Deputy Real Estate Commissioner