

FILED

AUG 31 2021

DEPARTMENT OF REAL ESTATE

By S. Black

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

OLEG ARTISHUK,

Respondent.

No. H-5234 SAC

ORDER DENYING REINSTATEMENT OF LICENSE

On May 19, 2010, a Decision was rendered in Case No. H-5234 SAC revoking the real estate salesperson license of Respondent effective June 10, 2010.

On March 2, 2020, Respondent petitioned for reinstatement of said real estate salesperson 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 support thereof.

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

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

Respondent failed to disclose a small claims case filed in 2018 in Placer County which resulted in a 2019 judgment in the amount of \$6,417.96 and a 2019 Arizona State judgment in the amount of \$26,384.21. Furthermore, Respondent has failed to make any efforts in repayment of these judgments.

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

Given the violations found and the fact that Respondent has not established that Respondent has satisfied Regulations 2911(10), I am not satisfied that Respondent is sufficiently rehabilitated to receive a real estate salesperson license.

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

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

SEP 21 2021

IT IS SO ORDERED 8.12.21

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley