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FILED

SEP 14 2021

DEPARTMENT OF REAL ESTATE
By S. Black :

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

DENNIS M. WERKING,

Respondent.

No. H-5758 SAC

ORDER DENYING REINSTATEMENT OF LICENSE

On November 9, 2012, a Decision was rendered in Case No. H-5758 SAC
revoking the real estate broker license of Respondent effective February 26, 2013, 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 February 26, 2013, and Respondent has held a
restricted licensee since that time.

On January 30, 2020, 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).

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1 I have considered the petition of Respondent and the evidence submitted in
2 support thereof.

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

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

8 Respondent failed to disclose numerous liens and judgments filed against him.
9 Respondent has failed to make any efforts in paying these judgments and liens.

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

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

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

18 This Order shall become effective at 12 o'clock noon on OCT 05 2021.

19 IT IS SO ORDERED 9.1.21

20 DOUGLAS R. McCAULEY
21 REAL ESTATE COMMISSIONER

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23 Douglas R. McCauley
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