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FILED

JUN 14 2017

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

In the Matter of the Application of

DOUGLAS HEYDON,

No. H-9190 SF

Respondent.

ORDER DENYING REMOVAL OF RESTRICTIONS ON LICENSE

On June 21, 2006, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on August 31, 2006, and Respondent has held a restricted license since that time.

On August 30, 2016, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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 Respondent's petition and the evidence submitted in support thereof.

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

4 Regulation 2911(c) Expungement of criminal convictions resulting from immoral
5 or antisocial acts.

6 Respondent has not taken any steps to expunge his criminal convictions.

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

9 Respondent has not paid any federal taxes for over ten years, respectively.

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

13 Respondent does not belong to any community organizations or volunteer his
14 time.

15 Respondent has failed to demonstrate to my satisfaction that Respondent has
16 undergone sufficient rehabilitation to warrant the removal of the restrictions on Respondent's real
17 estate salesperson license at this time.

18 Given the fact that Respondent has not established that Respondent has complied
19 with Regulations 2911(c), (j), and (l), I am not satisfied that Respondent is sufficiently
20 rehabilitated to receive an unrestricted salesperson license.

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

23 This Order shall become effective at 12 o'clock noon on JUL 05 2017

24 DATED 6/12/2017

25 WAYNE S. BELL
26 REAL ESTATE COMMISSIONER

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