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FILED

OCT 24 2016

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Accusation of

KEVIN JOSEPH HESLIN,

Respondent.

No. H-11393 SF

ORDER DENYING REINSTATEMENT OF LICENSE

On February 6, 2014, a Decision was rendered in Case No. H-11393 SF revoking the real estate broker license of Respondent effective March 12, 2014, 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 March 12, 2014, and Respondent has held a restricted licensee since that time.

On April 21, 2016, 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 Bureau has developed criteria in Section 2911 of Title 10, California Code of
4 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(j) Discharge of, or bona fide efforts toward discharging,
7 adjudicated debts or monetary obligations to others.

8 Respondent failed to provide evidence that he his making a bona fide effort to
9 reduce his unsatisfied Federal and State tax liens totally over \$350,000.00, respectively.

10 Regulation 2911(n) Change in attitude from that which existed at the time of the
11 conduct in question as evidenced by any or all of the following:

12 (2) Evidence from family members, friends or other persons familiar with
13 applicant's previous conduct and with his subsequent attitudes and behavioral
14 patterns.

15 Respondent failed to provide any letters of recommendation required for
16 the petition process.

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

20 Given the violations found and the fact that Respondent has not established that
21 Respondent has satisfied Regulations 2911(j) and (n)(2), I am not satisfied that Respondent is
22 sufficiently rehabilitated to receive a real estate broker license.

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

This Order shall become effective at 12 o'clock noon on NOV 14 2016.

IT IS SO ORDERED 10/21/2016

WAYNE S. BELL
REAL ESTATE COMMISSIONER

