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FILED

APR 27 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 Accusation of

ARTURO GARCIA SANCHEZ,

Respondent.

No. H-11446 SF

ORDER DENYING REINSTATEMENT OF LICENSE

On May 13, 2013, a Decision was rendered in Case No. H-11446 SF revoking the real estate salesperson license of Respondent effective June 4, 2013, 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 June 4, 2013, and Respondent has held a restricted licensee since that time.

On September 12, 2016, 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).

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

8 (1) Testimony of applicant.

9 Respondent was unable to be reached to schedule an interview to demonstrate
10 change in attitude and corrected business practices. Respondent also failed to respond to
11 additional correspondence during the petition process.

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 and verification
16 of employment required for 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 salesperson license at this time.

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Given the violations found and the fact that Respondent has not established that Respondent has satisfied Regulations 2911(n)(1) and (n)(2), 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 MAY 18 2017

IT IS SO ORDERED 4/23/2017

WAYNE S. BELL
REAL ESTATE COMMISSIONER

