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BUREAU OF REAL ESTATE

By *J. Amoh*

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BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of  
MARCOS CRUZ MARTINEZ,  
Respondent.

No. H-27207 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On February 19, 2003, a restricted real estate salesperson license was issued to Respondent. Said license expired February 18, 2007.

On July 12, 2013, Respondent petitioned for reinstatement of said real estate salesperson license.

I have considered Respondent's petition and the evidence and arguments in support thereof. 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, in that:

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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).

The Bureau has developed criteria in Section 2911, Title 10, Chapter 6, 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(j)—Discharge of monetary obligations

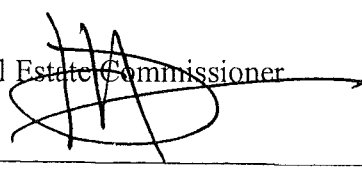
Respondent has unpaid state tax liens from 2000-2010.

Given the violations found and the fact that Respondent has not established that Respondent has complied with Regulation 2911(j), 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 APR 24 2014

IT IS SO ORDERED 4/1/2014

Real Estate Commissioner  


By: JEFFREY MASON  
Chief Deputy Commissioner