

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

FILED  
JAN 11 2003  
DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) NO. H-2058 SA  
) H-29546 LA  
RONALD DAVIS BRANDENBURG, )  
)  
Respondent. )  
)

ORDER DENYING REINSTATEMENT OF LICENSE

On May 31, 2002, an Order Accepting Voluntary Surrender of Restricted Real Estate License was rendered in Department of Real Estate ("Department") case no. H-29546 LA. Said Order which was effective on July 2, 2002, accepted Respondent RONALD DAVIS BRANDENBURG's ("Respondent") petition for voluntary surrender of his real estate broker license.

On July 16, 2003, Respondent petitioned for reinstatement of said license and the Attorney General of the State of California has been given notice of the filing of the petition.

1 I have considered Respondent's petition and the  
2 evidence and arguments in support thereof. Respondent has  
3 failed to demonstrate to my satisfaction that Respondent has  
4 undergone sufficient rehabilitation to warrant the issuance  
5 to Respondent of an unrestricted real estate broker license,  
6 in that:  
7

8 I

9 Respondent, in his Declaration of petition to  
10 surrender his real estate license, stated that he had been  
11 informed by the Department that he was the subject of an  
12 investigation of possible violations of the Real Estate Law,  
13 which could result in the filing of an Accusation to revoke  
14 or suspend his restricted real estate broker license.  
15 Respondent further stated that all affidavits and other relevant  
16 statements, declarations and evidence obtained during the course  
17 of the investigation may be considered by the Department to be  
18 true and correct for the purpose of deciding whether or not to  
19 grant reinstatement of his license.

20 Respondent has been the officer and owner of Parkway  
21 Mortgage, Inc., and MHshopper.Com, Inc. Respondent failed to  
22 disclose prior Department discipline when he applied for  
23 corporation licenses in other states, including Washington,  
24 Oregon, Idaho, Oklahoma and Georgia. When this was discovered,  
25 legal action was initiated by other states which subjected  
26 Respondent's license to discipline by the Department.  
27

II

1  
2 On July 29, 1996, Decision was rendered in Department  
3 case no. H-2058 SA, revoking Respondent's real estate broker  
4 license, but granting Respondent the right to apply for and be  
5 issued a restricted real estate broker license. A restricted  
6 real estate broker license was issued to Respondent on October  
7 9, 1996.  
8

9 In said Decision, there were determination of issues  
10 made that there was cause to revoke Respondent's license  
11 pursuant to Business and Professions Code ("Code") Section  
12 10177(d) for violation of Code Section 10159.2.  
13

14 A Department audit of Silverado Bancorp, Inc.'s books  
15 and record revealed numerous violations of the Real Estate Law,  
16 during a period of time when Respondent was the designated  
17 officer of Silverado Bancorp, Inc., a licensed real estate  
18 corporation.  
19

20 On May 21, 1999, Respondent petitioned for  
21 reinstatement of his real estate broker license. On December  
22 20, 1999, an Order Denying Reinstatement of License was  
23 rendered. It was determined that there was cause to deny  
24 Respondent's petition pursuant to Section 2911(j), Title 10,  
25 Chapter 6, California Code of Regulations ("Regulations"), for  
26 failure to demonstrate that Respondent had corrected business  
27 practices which led to the revocation of his license.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

III

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 Department has developed criteria in Regulation 2911 to assist in evaluating the rehabilitation of an applicant for reinstatement of a license. Among the criteria relevant in this proceeding are:

Regulation 2911(i) - Completion of, or sustained enrollment in, formal educational or vocational training courses for economic self-improvement.

Given the fact that Respondent has not established that he has met the criteria of Regulation 2911(i), I am not satisfied that Respondent is sufficiently rehabilitated to receive a plenary real estate broker license.

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

I am satisfied, however, that it will not be against the public interest to issue a restricted real estate broker license to Respondent.

///

1                   A restricted real estate broker license shall  
2 be issued to Respondent pursuant to Code Section 10156.5  
3 if Respondent within nine (9) months from the date hereof:

4                   (a) Submits evidence satisfactory to the Real  
5 Estate Commissioner that Respondent has, since his license  
6 was revoked, taken and passed the Professional Responsibility  
7 Examination administered by the Department including the  
8 payment of the appropriate examination fee.

9                   (b) Submits evidence satisfactory to the Real Estate  
10 Commissioner that Respondent has, since his license was  
11 revoked, taken and successfully completed the continuing  
12 education requirements of Article 2.5 of Chapter 3 of the Real  
13 Estate Law (Business and Professions Code Section 10170.5) for  
14 renewal of a real estate license.

15                   (c) Submits proof satisfactory to the Commissioner  
16 that Respondent has, since his license was revoked, taken and  
17 completed the trust fund accounting and handling course  
18 specified in paragraph (3), subdivision (a) of Section 10170.5  
19 of the Business and Professions Code.

20                   (d) Makes application therefor and pays the  
21 appropriate fee for said license.

22 ///  
23 ///  
24

1                   The restricted license issued to Respondent shall be  
2 subject to all of the provisions of Code Section 10156.7 and to  
3 the following limitations, conditions and restrictions imposed  
4 under authority of Code Section 10156.6:  
5

6                   1. The restricted license issued to Respondent  
7 may be suspended prior to hearing by Order of the Real Estate  
8 Commissioner in the event of Respondent's conviction or plea  
9 of nolo contendere to a crime which is substantially related  
10 to Respondent's fitness or capacity as a real estate licensee.  
11

12                   2. The restricted license issued to Respondent  
13 may be suspended prior to hearing by Order of the Real Estate  
14 Commissioner on evidence satisfactory to the Commissioner that  
15 Respondent has violated provisions of the California Real  
16 Estate Law, the Subdivided Lands Law, Regulations of the Real  
17 Estate Commissioner or conditions attaching to the restricted  
18 license.  
19

20                   3. Respondent shall not be eligible to apply  
21 for the issuance of an unrestricted real estate license  
22 nor for the removal of any of the conditions, limitations  
23 or restrictions of a restricted license until two (2) years  
24 from the date of issuance of any restricted license.  
25

26 ///

27 ///


///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

This Order shall become effective at 12 o'clock noon  
on January 31, 2005.

DATED: 1-6-05

JEFF DAVI  
Real Estate Commissioner



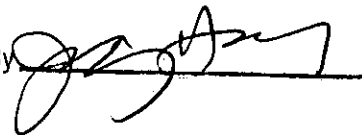
---

cc: Ronald D. Brandenburg  
629 Taper Drive  
Seal Beach, CA 90740

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**FILED**  
JUN 12 2002

DEPARTMENT OF REAL ESTATE

By 

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of	)	No. H-29546 LA
	)	
RONALD DAVIS BRANDENBURG,	)	
	)	
	)	
	)	
Respondent.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER  
OF RESTRICTED REAL ESTATE LICENSE

On May 15, 2002, Respondent, in connection with an investigation of possible violations of the Real Estate Law (Sections 10000 et seq., of the Business and Professions Code) and Regulations of the Commissioner (Title 10, Chapter 6, Code of Regulations), petitioned the Commissioner to voluntarily surrender his restricted real estate broker license pursuant to Section 10100.2 of the Business and Professions Code.

///  
///  
///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

IT IS HEREBY ORDERED that Respondent RONALD DAVIS  
BRANDENBURG'S petition for voluntary surrender of his restricted  
real estate broker license is accepted as of the effective date  
of this Order as set forth below, based upon the understanding  
and agreement expressed in Respondent's Declaration dated May 15,  
2002 (attached as Exhibit "A" hereto). Respondent's license  
certificate(s), pocket card(s) and any branch office license  
certificate shall be sent to the below listed address so that  
they reach the Department on or before the effective date of this  
Order:

Department of Real Estate  
Atten: Licensing Flag Section  
P.O. Box 187000  
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on  
July 2, 2002

DATED: May 31, 2002

PAULA REDDISH ZINNEMANN  
Real Estate Commissioner

