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APR 03 2014

BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

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In the Matter of the Application of
PETER SEAN GHIM,
Respondent.

H-30239 LA

ORDER DENYING REMOVAL OF RESTRICTIONS

On November 12, 2003, a Decision was rendered denying Respondent's license application, but granting Respondent the right to a restricted real estate salesperson license. Said license was issued December 30, 2003 and Respondent has held a restricted license since that time.

On June 17, 2013, Respondent petitioned for removal of restrictions from said real estate salesperson license.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the removal of restrictions from Respondent's real estate salesperson license at this time.

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1 The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State*
2 *Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and
3 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
4 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

5 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
6 Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for removal of
7 restrictions from a license. Among the criteria relevant in this proceeding are:

8 Regulation 2911(j) – Discharge of, or bona fide efforts toward discharging,
9 adjudicated debts or monetary obligations

10 Respondent has unpaid 2009 civil judgment for \$61,296.

11 Regulation 2911(n)(5) – Change in attitude from that which existed at the time of
12 the conduct in question as evidenced by any of the following:

13 (1) Testimony of applicant

14 Respondent failed to disclose in his petition application civil lawsuits including
15 two lawsuits filed in 2007 by Hana Financial, Inc., a lawsuit filed in 2008 by Chase Bank, and
16 the above mentioned 2009 civil judgment.

17 Given the violations found and the fact that Respondent has not established that
18 Respondent has complied with Regulations 2911 (j), and (n)(5), I am not satisfied that
19 Respondent is sufficiently rehabilitated for removal of restrictions from his real estate
20 salesperson license.

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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
restrictions on 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