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DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	
)	NO. H-30427 LA
RENE E. AGUILAR,)	
)	
Respondent.)	

ORDER DENYING RECONSIDERATION

On October 12, 2011, an Order Denying Reinstatement of License was rendered in the above-entitled matter. Said Order which was to become effective on January 5, 2012, was stayed by separate Order to February 6, 2012.

On January 13, 2012, Respondent petitioned for reconsideration of the Order of October 12, 2011.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Order of October 12, 2011, and reconsideration is hereby denied.

IT IS SO ORDERED 2/3/2012

BARBARA J. BIGBY
Acting Real Estate Commissioner

[Signature]
By WAYNE S. BELL
Chief Counsel

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DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	NO. H-30427 LA
)	
RENE E. AGUILAR,)	
)	
Respondent.)	
)	

ORDER STAYING EFFECTIVE DATE

On October 12, 2011, an Order Denying Reinstatement was rendered in the above-entitled matter to become effective January 05, 2012.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of October 12, 2011, is stayed for a period of 30 days to allow Respondent RENE E. AGUILAR to file a petition for reconsideration.

The Order Denying Reinstatement of October 12, 2011, shall become effective at 12 o' clock noon on February 06, 2012.

DATED: JANUARY 3, 2012.

BARBARA J. BIGBY
Acting Real Estate Commissioner

By: [Signature]
PHILLIP IHDE
Regional Manager

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DEPARTMENT OF REAL ESTATE

BY: [Signature]

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
RENE E. AGUILAR,
Respondent.

No. H-30427 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On January 28, 2004, an Order was rendered accepting Respondent's petition for voluntary surrender of his real estate salesperson license.

On November 9, 2009, Respondent petitioned for reinstatement of said real estate salesperson license. The Attorney General of the State of California has been given notice of the filing of said petition.

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 reinstatement of Respondent's real estate salesperson license at this time.

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

1 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

2 The Department has developed criteria in Section 2911 of Title 10, California
3 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
4 reinstatement of a license. Among the criteria relevant in this proceeding are:

5 Regulation 2911(a)—passage of sufficient time to show rehabilitation

6 Respondent has not provided evidence of substantial rehabilitation.

7 Regulation 2911(l) Significant or conscientious involvement in community,
8 church or privately-sponsored programs designed to provide social benefits or to ameliorate
9 social problems.

10 Respondent has not provided evidence of qualifying community service activities.

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

13 (1) Testimony of applicant.

14 Respondent denies he was involved in illegal activities.

15 Given the violations found and the fact that Respondent has not established that
16 Respondent has complied with Regulations 2911 (a), (l) and (n)(1), I am not satisfied that
17 Respondent is sufficiently rehabilitated to receive a real estate salesperson license.

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

20 This Order shall become effective at 12 o'clock noon on JAN 05 2012.

21 IT IS SO ORDERED 10/12/11

22 BARBARA J. BIGBY
23 Acting Real Estate Commissioner

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