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FILED
MAY -2 2007

DEPARTMENT OF REAL ESTATE

Handwritten signature: R. Miederholt

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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 March 15, 2007, an Order Denying Reinstatement of License was signed in the above-entitled matter. Said Order was to become effective on April 16, 2007, and was stayed by separate Order to April 26, 2007.

On April 6, 2007, Respondent petitioned for reconsideration of the Order of March 15, 2007.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Order of March 15, 2007, and reconsideration is hereby denied.

IT IS SO ORDERED

4-26-07
JEFF DAVI
Real Estate Commissioner

Handwritten signature of Jeff Davi

Handwritten signature

FILED
MAR 26 2007

DEPARTMENT OF REAL ESTATE

By *R. Medeiros*

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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 REINSTATEMENT OF LICENSE

On January 28, 2004, an Order was rendered herein accepting Respondent's petition for voluntary surrender of his real estate salesperson license. Said Order was effective February 23, 2004.

On or about June 8, 2005, 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
2 the evidence and arguments in support thereof. Respondent
3 has failed to demonstrate to my satisfaction that Respondent
4 has undergone sufficient rehabilitation to warrant the
5 reinstatement of Respondent's real estate broker license, in
6 that:
7

8 I

9 On October 30, 2003, an Accusation was filed by the
10 Department of Real Estate ("Department"), against Respondent.
11 The Accusation stated the following: On about September 5,
12 2003, before the Superior Court of Los Angeles, State of
13 California, Respondent was convicted of violating
14 Penal Code Sections 487(a) (grand theft) and 470(a) (forgery).
15 Said crimes were felonies involving moral turpitude, and bear
16 a substantial relationship to the qualifications, functions or
17 duties of a real estate licensee pursuant to Section 2910,
18 Title 10, Chapter 6, California Code of Regulations.
19
20

21 Said convictions constitute cause to revoke or
22 suspend a real estate license under Sections 490 and 10177(b)
23 of the California Business and Professions Code.

24 ///

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1 Respondent, in his Declaration of Petition to
2 Surrender Real Estate License, stated that all allegations
3 contained in Accusation H-30427 LA may be considered by the
4 Department to be true and correct for the purpose of deciding
5 whether or not to grant reinstatement of his license.
6

7 II

8 The burden of proving rehabilitation rests with the
9 petitioner (Feinstein v. State Bar (1952) 39 Cal. 2d 541).
10 A petitioner is required to show greater proof of honesty and
11 integrity than an applicant for first time licensure. The
12 proof must be sufficient to overcome the prior adverse judgment
13 on the applicant's character (Tardiff v. State Bar (1980) 27
14 Cal. 3d 395).
15

16 The Department has developed criteria in Regulation
17 2911 to assist in evaluating the rehabilitation of an applicant
18 for reinstatement of a license. Among the criteria relevant in
19 this proceeding are:
20

21 2911 (a) - A longer period of time is required given
22 Respondent's convictions which are substantially related to the
23 qualifications, functions or duties of a real estate licensee.

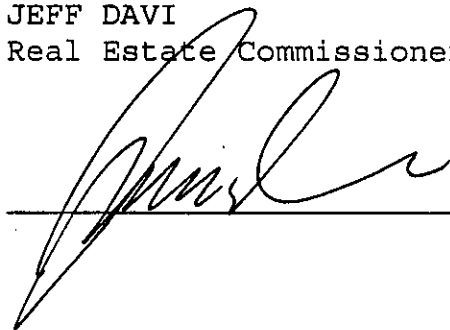
24 Given the fact that Respondent has not established
25 that Respondent has complied with Regulations 2911(a),
26 I am not satisfied that Respondent is sufficiently
27 rehabilitated to receive a real estate broker license.

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

4 This Order shall become effective at 12 o'clock noon
5 APR 16 2007
6 on _____

7 DATED: 3/15/07

8 JEFF DAVI
9 Real Estate Commissioner

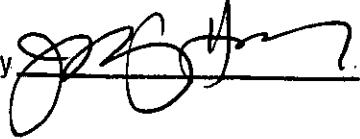
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26 cc: Rene E. Aguilar
27 1917 Cumberland Drive
 West Covina, CA 91792

59270

FILED
FEB 2 2004

DEPARTMENT OF REAL ESTATE

By 

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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,)	L-2003120462
)	
)	
Respondent.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On October 30, 2003, an Accusation was filed in this matter against Respondent RENE E. AGUILAR.

On December 28, 2003, Respondent petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent RENE E. AGUILAR's petition for voluntary surrender of his real estate salesperson 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 December 28, 2003 (attached as Exhibit "A" hereto). Respondent's license certificate and pocket

1 card shall be sent to the below listed address so that they reach
2 the Department on or before the effective date of this Order:

3 DEPARTMENT OF REAL ESTATE
4 Attn: Licensing Flag Section
5 P. O. Box 187000
6 Sacramento, CA 95818-7000

6 This Order shall become effective at 12 o'clock noon
7 on February 23, 2004.

8 DATED: January 28, 2004

10 JOHN R. LIBERATOR
11 Chief Deputy Commissioner

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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.)	

DECLARATION

My name is RENE E. AGUILAR and that I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am represented in this matter by Charles E. Mashburn, Attorney at Law.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedures Act (Sections 11400 et seq., of the Government Code) I wish to voluntarily surrender my real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, that it can only be reinstated in accordance with the
3 provisions of Section 11522 of the Government Code. I also
4 understand that by so voluntarily surrendering my license, I
5 agree to the following:

6 The filing of this Declaration shall be deemed as my
7 petition for voluntary surrender. It shall also be deemed to be
8 an understanding and agreement by me that, I waive all rights I
9 have to require the Commissioner to prove the allegations
10 contained in the Accusation filed in this matter at a hearing
11 held in accordance with the provisions of the Administrative
12 Procedures Act (Government Code Sections 11400 et seq.), and that
13 I also waive other rights afforded to me in connection with the
14 hearing such as the right to discovery, the right to present
15 evidence in defense of the allegations in the Accusation and the
16 right to cross examine witnesses. I further agree that upon
17 acceptance by the Commissioner, as evidenced by an appropriate
18 order, all affidavits and all relevant evidence obtained by the
19 Department in this matter prior to the Commissioner's acceptance,
20 and all allegations contained in the Accusation filed in the
21 Department Case No. H-30427 LA, may be considered by the
22 Department to be true and correct for the purpose of deciding
23 whether or not to grant reinstatement of my license pursuant to
24 Government Code Section 11522.

25 ////

26 ////

27 ////

1 I declare under penalty of perjury under the laws of
2 the State of California that the above is true and correct and
3 that I freely and voluntarily surrender my license and all
4 license rights attached thereto.

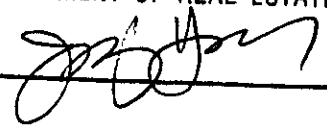
5 12/28/03 Bellflower
6 Date and Place

René Aguilar
RENE E. AGUILAR

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1 MARY E. WORK, Counsel
SBN 175887
2 Department of Real Estate
320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105
4 Telephone (213) 576-6982
-Direct- (213) 576-6916
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7

FILED
OCT 30 2003
DEPARTMENT OF REAL ESTATE
By 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-30427LA
RENE E. AGUILAR,)	<u>ACCUSATION</u>
Respondent.)	

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against RENE E. AGUILAR (hereinafter "Respondent"), is informed and alleges as follows:

I

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation against Respondent in her official capacity.

II

Respondent is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the Business and Professions Code (hereinafter "Code") as a real estate salesperson.

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III

On or about September 5, 2003, before the Superior Court of L.A. Superior Southeast Judicial District County of Los Angeles, in Case No. VA076214, Respondent, upon his plea of guilty was convicted of violating Penal Sections 487(a) (Grand Theft) and 470(a) (Forgery) both felony crimes of moral turpitude which are substantially related under Section 2910, Title 10, Chapter 6, of the California Code of Regulations, to the qualifications, functions or duties of a real estate licensee.

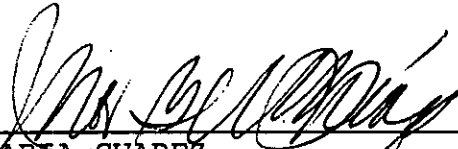
IV

The facts set forth above constitute cause for under Sections 490 and 10177(b) of the Code for the suspension or revocation of all licenses and license rights of Respondent under the Real Estate Law.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary action against all licenses and license rights of Respondent RENE E. AGUILAR under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other provisions of law.



MARIA SUAREZ
Deputy Real Estate Commissioner

Dated at Los Angeles, California,
this 28th day of October, 2003.

cc: Rene E. Aguilar
Downey Professional Real Estate Group, Inc.
Maria Suarez
SACTO
LF