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FILED

SEP 12 2023

DEPT. OF REAL ESTATE
By *R. Posada*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of:) DRE No. H-31060 LA
)
JEFFREY BRANDON LLOYD,)
)
Respondent.)
_____)

ORDER DENYING REMOVAL OF DISCIPLINE INFORMATION FROM RESPONDENT'S
PUBLIC INFORMATION PAGE ON THE DEPARTMENT OF REAL ESTATE'S WEBSITE

On March 8, 2005, in Case No. H-31060 LA, a Decision was rendered disciplining the real estate broker license of Respondent effective April 1, 2005, but granting Respondent the right to issuance of a restricted real estate broker license. On December 23, 2020, Respondent petitioned for reinstatement of his real estate broker license. An Order Granting Reinstatement of License was entered on October 11, 2021. This Order gave Respondent the right to issuance of a real estate broker license, if he satisfied two requirements within a 12-month period. Respondent failed to satisfy both requirements and his broker license remains restricted to date.

On December 28, 2021, Respondent petitioned for the removal of discipline information from Respondent's Public Information Page on the Department of Real Estate's Website ("the Website").

The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State Bar*

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

4 I have considered Respondent's petition and the evidence submitted in support
5 thereof.

6 The Department has developed criteria in Section 2915 of Title 10, California Code
7 of Regulations (Regulations) to assist in evaluating the rehabilitation of a petitioner for the
8 removal of discipline information from the website. Among the criteria relevant in this proceeding
9 are:

10 *Regulation 2915(f)(3): Petitioner's license is currently subject to restrictions, and a*
11 *concurrent petition to remove those restrictions is not granted.*

12 Respondent's license is currently restricted, and the 12-month time period to apply
13 for an unrestricted license has passed.

14 *Regulation 2915(f)(5): Petitioner does not make himself reasonably available for*
15 *interview by the Department investigator in the course of the petition investigation.*

16 Respondent did not make himself available for an interview regarding his Petition
17 for the removal of discipline information from Respondent's Public Information Page on the
18 Webiste.

19 Respondent has failed to demonstrate to my satisfaction that Respondent is not a
20 credible risk to the public and that Respondent has undergone sufficient rehabilitation to warrant
21 the removal of discipline information from the Website.

22 Given the violations found and the fact that Respondent has not established that
23 Respondent has satisfied Regulations 2915(f)(3) and 2915(f)(5), I am not satisfied that Respondent
24 is sufficiently rehabilitated for the removal of discipline information from the website.

25 The earliest date on which the Respondent may submit a new petition for the
26 removal of discipline the website is one year from the effective date of this Decision. If, and when
27 petition is again made for this licensee, all competent evidence of rehabilitation presented by the

1 Respondent will be considered by the Real Estate Commissioner.

2 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for the removal
3 of discipline information from the Website is denied.

4 This Order shall become effective immediately.

5 DATED: 9/5/2023

6 DOUGLAS R. McCAULEY
7 REAL ESTATE COMMISSIONER

8 

9 By: Marcus L. McCarther
10 Chief Deputy Real Estate Commissioner