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FILED

SEP 12 2013

BUREAU OF REAL ESTATE

By Howard Smith

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
VINCENT EDWARD SERHAN,
Respondent.

No. H-31268 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On December 14, 2005, a Decision was rendered herein revoking the real estate salesperson license of Respondent, but granting Respondent the right to apply for a restricted real estate salesperson license. The restricted salesperson license was issued January 3, 2006, and Respondent has held the license since that time.

On January 23, 2012, 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 removal of restrictions of 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 Department has developed criteria in Section 2911 of Title 10, California
6 Code of Regulations (Regulations) to assist in evaluating the rehabilitation of an applicant for
7 reinstatement of a license. Among the criteria relevant in this proceeding:

8 Regulation 2911(j)—discharge of, or bona fide efforts toward discharging,
9 monetary obligations to others

10 Respondent has unpaid taxes amounting to \$50,000.

11 Regulation 2911(n)(1) —change in attitude

12 Respondent cannot be located at this time. Respondent has not advised the
13 Department of his current phone number and mailing address.

14 Pursuant to Regulation 2911 (j) and (n)(1), I am not satisfied that Respondent is
15 sufficiently rehabilitated to have removed the restrictions on his salesperson license.

16 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
17 restrictions of Respondent's real estate salesperson license is denied.

18 This Order shall become effective at 12 o'clock noon on OCT 02 2013.

19 IT IS SO ORDERED

20
21 REAL ESTATE COMMISSIONER

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24 By: JEFFREY MASON
25 Chief Deputy Commissioner
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