

2013
2/14

FILED

JAN 14 2013

DEPARTMENT OF REAL ESTATE
BY: R. H. H. H. H. H.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
IBRAHIM MOHAMAD NABHAN,
Respondent.

No. H-31559 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On February 7, 2007, a Decision After Reconsideration was rendered revoking the real estate broker license of Respondent, but granting Respondent the right to apply for a restricted broker license. On March 5, 2007, a restricted broker license was issued to Respondent. Said license expires March 4, 2015.

On or about July 26, 2011, Respondent petitioned for reinstatement of said real estate broker 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 broker license at this time.

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 are:

8 Regulation 2911(k)—Correction of business practices

9 A Department of Real Estate audit in 2003 and 2012, revealed numerous
10 violations of the Real Estate Law. Respondent has failed to submit proof that the audit violations
11 have been corrected.

12 Given the violations found and the fact that Respondent has not established that
13 Respondent has complied with Regulations 2911(k),

14 I am not satisfied that Respondent is sufficiently rehabilitated to receive an
15 unrestricted real estate broker license.

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

18 This Order shall become effective at 12 o'clock noon on FEB - 4 2013

19 IT IS SO ORDERED

10/12/2012

21 Real Estate Commissioner

22 
23 By WAYNE S. BELL
24 Chief Counsel