

MAY 30 2017

By R. P. Osade

STATE OF CALIFORNIA

* * *

Respondent.

No. H-34308 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On April 3, 2008, a Decision was rendered in Case No. H-34308 LA revoking the real estate salesperson license of Respondent effective April 23, 2008. On August 4, 2010, Respondent petitioned for reinstatement of Respondent's real estate salesperson license. On October 11, 2012, and Order Denying Reinstatement of License and Granting Right to a Restricted License was rendered. A restricted real estate salesperson license was issued to Respondent on September 6, 2013, and Respondent has held a restricted licensee since that time.

On October 25, 2016, Respondent again petitioned for reinstatement of said real estate salesperson license, and the Attorney General of the State of California has been given notice of the filing of said petition.

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 I have considered the petition of Respondent and the evidence submitted in
3 support thereof.

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

7 Regulation 2911(i) Completion of, or sustained enrollment in, formal educational
8 or vocational training courses for economic self-improvement.

9 Although Respondent's Petition Application states he has obtained an Associate
10 of Arts degree from Mt. San Antonio College, the application also states that he has not yet taken
11 any continuing education courses in real estate.

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

15 Respondent offered insufficient evidence regarding the "Upland social group-
16 sharing life experience-gather" program listed in his Petition Application.

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

19 (2) Evidence from family members, friends or other persons familiar with
20 applicant's previous conduct and with his subsequent attitudes and behavioral
21 patterns.

22 Respondent has offered no such evidence.

23 Respondent has failed to demonstrate to my satisfaction that Respondent has
24 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate
25 salesperson license at this time.

26
27 Given the violations found and the fact that Respondent has not established that

1 Respondent has satisfied Regulations 2911(i), (l), and (n), I am not satisfied that Respondent is
2 sufficiently rehabilitated to receive a real estate salesperson license.

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

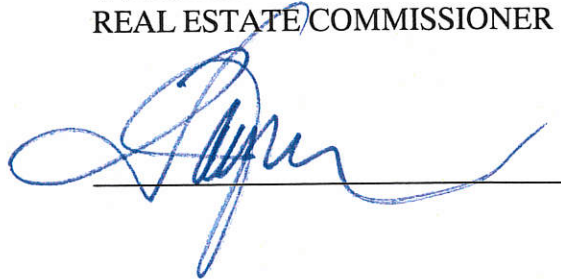
5 This Order shall become effective at 12 o'clock noon on

JUN 19 2017

6 IT IS SO ORDERED

5/24/2017

7 WAYNE S. BELL
8 REAL ESTATE COMMISSIONER

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