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**FILED**

DEC 13 2011

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of  
**ALFREDO HUIZAR,**  
Respondent.

No. H-35100 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On March 29, 2009, a Decision was rendered revoking the real estate salesperson license of Respondent.

On July 7, 2010, 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 reinstatement 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(i) - Completion of, or sustained enrollment in, formal  
9 educational or vocational training courses for economic self-improvement.

10           Respondent has not provided evidence of educational or vocational training  
11 courses.

12           Regulation 2911(j)—payment of monetary obligations

13           Respondent has outstanding unpaid tax liens.

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

17           Respondent has not provided evidence of qualifying community service activities.

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

20           (1)   Testimony of applicant.

21           Respondent has failed to provide all requested information.

22           Given the violations found and the fact that Respondent has not established that  
23 Respondent has complied with Regulations 2911 (i), (j), (l) and (n)(1), I am not satisfied that  
24 Respondent is sufficiently rehabilitated to receive a real estate salesperson license.  
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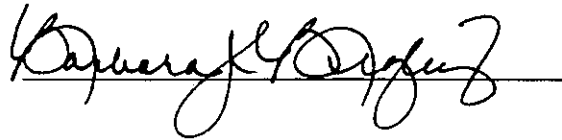
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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for  
reinstatement of Respondent's real estate salesperson license is denied.

This Order shall become effective at 12 o'clock noon on JAN 03, 2012

IT IS SO ORDERED 9/28/11

BARBARA J. BIGBY  
Acting Real Estate Commissioner



**FILED**  
APR 13 2009

DEPARTMENT OF REAL ESTATE

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

By 

\* \* \* \*

In the Matter of the Accusation of )  
ALFREDO HUIZAR, )  
Respondent. )

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No. H-35100 LA

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on March 4, 2009, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

I

On July 7, 2008, Robin L. Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California.

On September 15, 2008, Respondent filed a notice of defense requesting a hearing. A hearing was scheduled for March 3, 2009 and Respondent was duly notified. Respondent failed to appear at the hearing. The Order of Default was filed on March 4, 2009.

II

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

III

During a period of time in the past three (3) years, Respondent, on behalf of others and in expectation of compensation, engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(a) and (b) of the Code. Said acts include soliciting buyers and sellers and negotiating the sale of real property, as well as soliciting owners and renters, negotiating leases and rental agreements, and collecting rents from real property.

IV

Respondent violated Section 10130 of the Code in that during the time Respondent engaged in these activities he did not possess the required real estate broker license. Respondent was not employed by a real estate broker during this time.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 10177(j), and Business and Professions Code Section 10177(d) for violation of Business and Professions Code Sections 10130 and 10137.

II

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

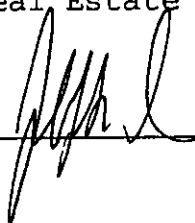
The license and license rights of Respondent ALFREDO HUIZAR under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon May 4, 2009.

DATED: \_\_\_\_\_

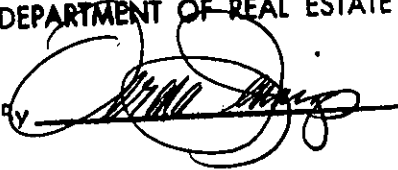
3/29/09

JEFF DAVI  
Real Estate Commissioner

  
\_\_\_\_\_

5/20/08

1 JAMES R. PEEL, Counsel (SBN 47055)  
2 Department of Real Estate  
3 320 West Fourth Street, Suite 350  
4 Los Angeles, CA 90013-1105  
5 Telephone: (213) 576-6982  
6 -or- (213) 576-6913 (Direct)

FILED  
JUL - 9 2008  
DEPARTMENT OF REAL ESTATE  


8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )	No. H-35100 LA
12 )	
13 ALFREDO HUIZAR, )	<u>A C C U S A T I O N</u>
14 )	
15 Respondent. )	

16 The Complainant, Robin L. Trujillo, a Deputy Real  
17 Estate Commissioner of the State of California, for cause of  
18 Accusation against ALFREDO HUIZAR, alleges as follows:

19 I

20 The Complainant, Robin L. Trujillo, acting in her  
21 official capacity as a Deputy Real Estate Commissioner of the  
22 State of California, makes this Accusation against ALFREDO  
23 HUIZAR.

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II

ALFREDO HUIZAR (hereinafter referred to as "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).

III

At all times herein mentioned, Respondent was licensed by the Department of Real Estate of the State of California as a real estate salesperson.

IV

During the three year period preceding the filing of this Accusation, Respondent engaged in the business of, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Section 10131(a) and (b) of the Code, including soliciting buyers and sellers and negotiating the sale of real property, as well as soliciting renters and owners, negotiating the lease or rental of real property, and collecting rents from real property.

V

Respondent violated Section 10130 of the Code in that during the time Respondent engaged in these activities he did not possess the required real estate broker license. Respondent was not employed by a real estate broker during this time.

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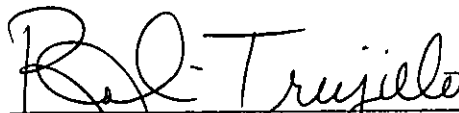
VI

The conduct of Respondent, as alleged above, was in violation of Code Section 10177(j), and subjects his real estate license and license rights to suspension or revocation pursuant to Code Section 10177(d) for violation of Code Sections 10130 and 10137.

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 ALFREDO HUIZAR 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 applicable provisions of law.

Dated at Los Angeles, California

this 7 day of July, 2008.



ROBIN L. TRUJILLO  
Deputy Real Estate Commissioner

cc: Alfredo Huizar  
Robin L. Trujillo  
Sacto  
Raul R. Herrera