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AUG 02 2013

BUREAU OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

STEPHEN C. BUSH,

Respondent.

No. H-35671 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On October 5, 2009, a Decision was rendered revoking the real estate broker license of Respondent, but granting Respondent the right to apply for a restricted broker license. A restricted broker license was issued to Respondent on October 28, 2009, and Respondent has held a restricted license since that time; It had been determined that there was cause to revoke Respondent's license pursuant to Business and Professions Code Sections 490 and 10177(b), for criminal convictions.

On January 27, 2012, Respondent petitioned for reinstatement of said real estate broker license.

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.

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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 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

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

Regulation 2911(a)—passage of sufficient time to show rehabilitation

Additional time is needed due to Respondent's criminal history.

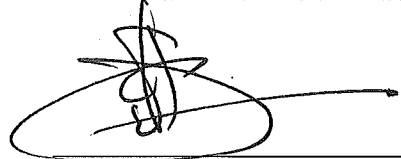
Given the violations found and the fact that Respondent has not established that Respondent has complied with Regulation 2911 (a), I am not satisfied that Respondent is sufficiently rehabilitated to receive a real estate broker license.

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

This Order shall become effective at 12 o'clock noon on **AUG 23 2013**

IT IS SO ORDERED May 25, 2013

REAL ESTATE COMMISSIONER



By: Jeffrey Mason  
Chief Deputy Commissioner