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DEPARTMENT OF REAL ESTATE
BY: Richard

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
RUTH ARIAS,
Respondent.

No. H-35944 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On April 14, 2010, a Decision was rendered accepting voluntary surrender of the real estate broker license of Respondent.

On June 6, 2011, 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.

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).

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

4 Regulation 2911(i) - Completion of, or sustained enrollment in, formal education
5 or vocational training courses for economic self-improvement

6 Respondent has not taken any such courses.

7 Regulation 2911(j) - Discharge of, or bona fide efforts toward discharging,
8 adjudicated debts or monetary obligations to others.

9 Respondent has not provided such proof for civil judgments and tax liens against
10 Respondent.

11 Regulation 2911(k) - Correction of business practices resulting in injury to others

12 Respondent has not provided proof of correction of past business practices.

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

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

17 Given the violations found and the fact that Respondent has not established that
18 Respondent has complied with Regulations 2911 (i), (j), (k), and (l), I am not satisfied that
19 Respondent is sufficiently rehabilitated to receive a real estate broker license.

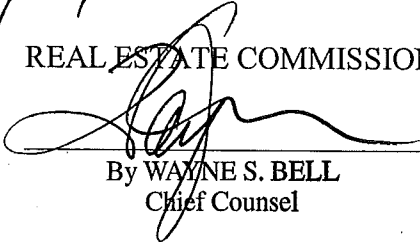
20 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
21 reinstatement of Respondent's real estate broker license is denied.

22 This Order shall become effective at 12 o'clock noon on DEC - 4 2012

23 IT IS SO ORDERED

24 7/31/2012

25 REAL ESTATE COMMISSIONER

26 
27 By WAYNE S. BELL
Chief Counsel