

FILED

NOV 14 2013

BUREAU OF REAL ESTATE

By Norma Smits

BEFORE THE BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of  
PATRICK B. SMALL,  
Respondent.

No. H-36146 LA

ORDER AFTER RECONSIDERATION OF ORDER DENYING REINSTATEMENT OF  
LICENSE AND  
GRANTING RIGHT TO A LICENSE

On August 24, 2010, a Decision was rendered herein revoking the real estate broker license of Respondent.

On April 29, 2013, an Order Denying Reinstatement of License was rendered. Said Order was to become effective on September 6, 2013, but was stayed by separate order to October 7, 2013, and further stayed to October 17, 2013.

On September 18, 2013, Respondent filed a petition for reconsideration of the Order of April 29, 2013.

On October 14, 2013, an Order Granting Reconsideration was issued.

On October 23, 2013, Respondent filed additional argument in this matter.

I have considered Respondent's petition, petition for reconsideration, and the

1 evidence and arguments in support thereof. Respondent has demonstrated to my satisfaction that  
2 Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's  
3 real estate broker license.

4 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for  
5 reinstatement of Respondent's real estate broker license is granted subject to the following  
6 conditions:

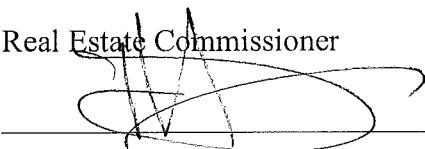
7 (a) qualifies for, takes and passes the written examination required to obtain a real  
8 estate broker license;

9 (b) makes application and pays the appropriate fee for said license;

10 This Order shall become effective at 12 o'clock noon on DEC - 4 2013.

11 IT IS SO ORDERED NOV 07 2013

12  
13 Real Estate Commissioner

14  
15   
16 By: JEFFREY MASON  
17 Chief Deputy Commissioner  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

*fact*

**FILED**

OCT 17 2013

BUREAU OF REAL ESTATE

By *Sam B. Chen*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of        )        No. H-36146 LA  
  )  
PATRICK B. SMALL,                                )  
  )  
Respondent.                                        )

ORDER GRANTING RECONSIDERATION

On April 29, 2013, an Order Denying Reinstatement of License was rendered in the above-entitled matter. Said Order was to become effective on September 6, 2013, but was stayed by separate Order to October 7, 2013, and further stayed to October 17, 2013.

On September 18, 2013, Respondent petitioned for reconsideration of the Order of April 29, 2013.

I have given due consideration to the petition of Respondent. I find good cause to reconsider the Order of April 29, 2013, and reconsideration is hereby granted.

///

///

///

1 Respondent shall have until fifteen (15) days after the  
2 date of this Order in which to file written argument in further  
3 support of his petition for reconsideration. Counsel for the  
4 Department of Real Estate shall submit any written reply to said  
5 argument within fifteen (15) days thereafter.

6 IT IS SO ORDERED

10/14/2013

7 Real Estate Commissioner

8  
9   
10 WAYNE S. BELL  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

*Sacto Jan*

**FILED**

SEP 25 2013

BUREAU OF REAL ESTATE

By *James B. Sloan*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of ) No. H-36146 LA  
PATRICK B. SMALL, )  
Respondent. )

ORDER STAYING EFFECTIVE DATE

On April 29, 2013, an Order Denying Reinstatement of License was rendered to become effective September 6, 2013, and was stayed by separate order to October 7, 2013.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of April 29, 2013, is stayed for a period of 10 days to consider Respondent's petition for reconsideration.

The Order Denying Reinstatement of License of April 29, 2013, shall become effective at 12 o'clock noon on October 17, 2013.

IT IS SO ORDERED

*September 20, 2013.*

WAYNE S. BELL  
Real Estate Commissioner

By:

*Dolores Weeks*  
DOLORES WEEKS  
Regional Manager

Sacto  
Jury

FILED

SEP - 5 2013

BUREAU OF REAL ESTATE

By Lana B. Dean

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )

No. H-36146 LA

PATRICK B. SMALL, )

Respondent. )

ORDER STAYING EFFECTIVE DATE

On April 29, 2013, an Order Denying Reinstatement of License was rendered to become effective September 6, 2013.

IT IS HEREBY ORDERED that the effective date of the Order Denying Reinstatement of License of April 29, 2013, is stayed for a period of 30 days to consider Respondent's petition for reconsideration.

The Order Denying Reinstatement of License of April 29, 2013, shall become effective at 12 o'clock noon on October 7, 2013.

IT IS SO ORDERED

September 5, 2013  
WAYNE S. BELL  
Real Estate Commissioner

By:

Dolores Weeks  
DOLORES WEEKS  
Regional Manager

FILED

AUG 16 2013

BUREAU OF REAL ESTATE

By



BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*

In the Matter of the Accusation of  
PATRICK B. SMALL,  
Respondent.

No. H-36146 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On August 24, 2010, a Decision was rendered herein revoking the real estate broker license of Respondent.

On January 23, 2012, 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(j)—discharge of, or bona fide efforts toward discharging,  
9 adjudicated debts or monetary obligations to others

10 Respondent failed to provide proof that a 2009 judgment in the amount of \$1,260  
11 has been satisfied.

12 Pursuant to Regulation 2911(j), I am not satisfied that Respondent is sufficiently  
13 rehabilitated to receive a real estate broker license.

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

16 This Order shall become effective at 12 o'clock noon on SEP 06 2013

17 IT IS SO ORDERED April 29, 2013

18 Real Estate Commissioner  
19   
20

21 By: Jeffrey Mason  
22 Chief Deputy Commissioner  
23  
24  
25  
26  
27