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MAY 30 2013

DEPARTMENT OF REAL ESTATE
BY: James B. [Signature]

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-36339 LA
)	
EDWARD MICHAEL TINKLE,)	
)	
Respondent.)	


ORDER DENYING RECONSIDERATION

On March 21, 2013, an Order Denying Reinstatement of License was rendered to become effective April 30, 2013. Said Order was stayed by separate order to May 30, 2013.

On April 29, 2013, Respondent petitioned for reconsideration of the Order of March 21, 2013.

I have given due consideration to the petition of Respondent. I find no good cause to reconsider the Order of March 21, 2013 and reconsideration is hereby denied.

IT IS SO ORDERED May 24, 2013

Real Estate Commissioner


By: Jeffrey Mason
Chief Deputy Commissioner

1 The Order Denying Reinstatement of License, shall
2 become effective at 12 o'clock noon on May 30, 2013.

3 IT IS SO ORDERED April 24, 2013

4 Real Estate Commissioner

5 Dolores Weeks

6 By: DOLORES WEEKS
7 Regional Manager

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APR 10 2013

DEPARTMENT OF REAL ESTATE

BY: *Handwritten signature*

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
EDWARD MICHAEL TINKLE,
Respondent.

No. H-36339 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On June 1, 2010, a Decision was rendered herein revoking the real estate salesperson license of Respondent. In 2006, Respondent was convicted of violating Penal Code Section 273.5(A) (spousal abuse) and Penal Code Section 273.6(A) (violate protective order). In 2007, Respondent was convicted of violating Penal Code Section 653M(A) (annoy by telephone) and Penal Code Section 653x(A) (telephone 911 emergency line to annoy and harass). In 2008, Respondent was convicted of violating Vehicle Code Section 23103(A) (reckless driving).

On October 4, 2011, 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

1 salesperson license at this time.

2 The burden of proving rehabilitation rests with the petitioner (*Feinstein v. State*
3 *Bar* (1952) 39 Cal. 2d 541). A petitioner is required to show greater proof of honesty and
4 integrity than an applicant for first time licensure. The proof must be sufficient to overcome the
5 prior adverse judgment on the applicant's character (*Tardiff v. State Bar* (1980) 27 Cal. 3d 395).

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

9 Regulation 2911(a)—passage time

10 Additional time is required to allow Respondent to show rehabilitation due to
11 Respondent's history of acts and conduct that is substantially related to the qualifications,
12 functions and duties of a real estate licensee.

13 Regulation 2911(d)—successful completion of probation

14 Respondent remains on probation.

15 Regulation 2911(j)—discharge of, or bona fide efforts toward discharging,
16 monetary obligations to others

17 Respondent has not provided proof that he paid a State tax lien of 29,300 and a
18 civil judgment of \$4,399, or that he has made bona fide efforts to repay.

19 Regulation 2911(n)(1),(5) —change in attitude

20 Respondent failed to provide the Department with proof that he has taken
21 responsibility for his actions which were the basis for the disciplinary action against him. In
22 addition, the monetary obligations set forth above were not disclosed in Respondent's petition
23 application. On July 23, 2012, Respondent was convicted of violating Penal Code Section 422
24 (threats), and Penal Code Section 646.9(a) (stalking).

25 Pursuant to Regulation 2911(a), (d), (j), (n)(1) and (5), I am not satisfied that
26 Respondent is sufficiently rehabilitated to receive a real estate salesperson license.

27 ///

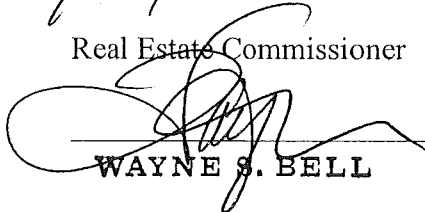
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NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
reinstatement of Respondent's real estate salesperson license is denied.

This Order shall become effective at 12 o'clock noon on APR 30 2013.

IT IS SO ORDERED 3/21/2013

Real Estate Commissioner



WAYNE S. BELL