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**FILED**

OCT 20 2015

BUREAU OF REAL ESTATE

By S. Bleck

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

YAMIN ISAAC VALLECILLO,

No. H-37375 LA

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On January 13, 2012, a Decision was rendered in Case No. H-37375 LA revoking the real estate salesperson license of Respondent effective February 8, 2012, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on February 8, 2012, and Respondent has held a restricted licensee since that time.

On April 20, 2015, Respondent petitioned for reinstatement of said real estate salesperson license, and the Attorney General of the State of California has been given notice of the filing of said petition.

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).

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1 I have considered the petition of Respondent and the evidence submitted in  
2 support thereof.

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

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

8 Petitioner has offered no evidence of discharging a \$11,310 federal tax lien.

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

12 The Petition for Reinstatement states that Petitioner is not involved in any such  
13 programs.

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

16 Petitioner still does not take responsibility for the acts which led to his license  
17 discipline. He also did not disclose the federal tax lien in his Petition.

18 Respondent has failed to demonstrate to my satisfaction that Respondent has  
19 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate  
20 salesperson license at this time.

21 Given the violations found and the fact that Respondent has not established that  
22 Respondent has satisfied Regulations 2911(j), (l), and (n), I am not satisfied that Respondent is  
23 sufficiently rehabilitated to receive a real estate salesperson license.

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

3                    This Order shall become effective at 12 o'clock noon on **NOV 10 2015**

4 IT IS SO ORDERED 10/16/2015

5 REAL ESTATE COMMISSIONER

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8 Wayne S. Bell