

FILED

JUN 17 2015

BUREAU OF REAL ESTATE

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

ANTHONY DONALD PERKINS,

No. H-37564 LA

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On January 13, 2012, a Decision was rendered in Case No. H-37564 LA revoking the real estate broker license of Respondent effective February 8, 2012.

On October 28, 2014, Respondent petitioned for reinstatement of said real estate broker 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).

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

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1 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
2 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(b) Restitution to any person who has suffered monetary losses
5 through “substantially related” acts or omissions of the applicant.

6 Respondent failed to provide proof of any payment of restitution to the following
7 individuals who sustained monetary losses as mentioned in the Decision of January 13, 2012,
8 Nicholas Surroz, Virgilio and Lelanie Fornasodoro, Linda E. Baker, Cantana Anderson, Michael
9 Anthony Moore, Wanda McDonald, Avo McDonald, Jean McPherson, and Malekshah Oskoui.

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

12 Respondent failed to provide proof of satisfaction of two (2) outstanding civil
13 judgments for \$20,998 and \$9,602, respectively. Respondent failed to disclose the judgment for
14 \$9,602 on his petition for reinstatement. Respondent’s petition for reinstatement also failed to
15 disclose a disciplinary action and decision issued by the Commissioner of Banks for the State of
16 North Carolina against Respondent’s mortgage loan officer license in that agency’s Docket No.
17 09:088:MBB. In a Decision and Order issued by the Commissioner of Banks for the State of
18 North Carolina on September 23, 2010, Respondent’s mortgage loan officer license was revoked
19 and Respondent and NFS Loans, Inc. were ordered to pay, jointly and severally, civil penalties
20 amounting to \$830,000. Respondent failed to provide proof of payment toward any of the civil
21 penalties.

22 Regulation 2911(k) Correction of business practices resulting in injury to others
23 or with the potential to cause such injury.

24 Respondent failed to provide satisfactory proof of correction of his business
25 practices.

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

3 (1) Testimony of applicant.

4 After submitting his petition for reinstatement, Respondent was interviewed by a
5 Special Investigator for the Bureau of Real Estate. Respondent failed to accept responsibility for
6 his actions or acknowledge any wrongdoing for his acts, conduct and/or omissions which led to
7 the revocation of his broker's license.

8 Respondent has failed to demonstrate to my satisfaction that Respondent has
9 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate
10 broker license at this time.

11 Given the violations found and the fact that Respondent has not established that
12 Respondent has satisfied Regulations 2911(b), (j), (k), and (n), I am not satisfied that Respondent
13 is sufficiently 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.

JUL - 7 2015

16 This Order shall become effective at 12 o'clock noon on _____.

17 IT IS SO ORDERED

6/10/2015

18 REAL ESTATE COMMISSIONER

19
20 
21 Wayne S. Bell