

File

FILED

SEP 08 2015

BUREAU OF REAL ESTATE

By S. Black

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BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of

CAMILLE RAYE GUESS,

Respondent.

No. H-38385 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On January 8, 2013, a Decision was rendered in Case No. H-38385 LA revoking the real estate broker license of Respondent effective February 5, 2013.

On February 19, 2015, 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(j) Discharge of, or bona fide efforts toward discharging,
5 adjudicated debts or monetary obligations to others.

6 Petitioner has offered no evidence of discharging a \$15,395.00 lien filed by
7 Mercedes Benz Financial Services.

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

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

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

15 Petitioner still does not recognize her failure to exercise adequate broker
16 supervision in the transaction which led to her license discipline. She also did not disclose her
17 failure to discharge debt.

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 broker 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 broker license.

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

SEP 29 2015

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

IT IS SO ORDERED 9/2/2015

REAL ESTATE COMMISSIONER



Wayne S. Bell