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BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation of
JUAN MANUEL QUINONES III,

Respondent.

)
) No. H-40232 LA
)
)
)
)

ORDER DENYING RECONSIDERATION

On November 24, 2020, an Order Denying Reinstatement of License was rendered in the above-entitled matter. Said Decision was to become effective on January 4, 2021 and was stayed by separate Order to February 4, 2021.

On December 22 2020, Respondent petitioned for reconsideration of the Order of November 24, 2020.

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I have given consideration to the petition of Respondent. I find no good cause to reconsider the Order of November 24, 2020 and reconsideration is hereby denied.

IT IS SO ORDERED 1.28.21, 2021.

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

DOUGLAS R. McCAULEY

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FILED

DEC 04 2020

DEPT. OF REAL ESTATE

By JM Quinones III

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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In the Matter of the Accusation of

JUAN MANUEL QUINONES III,

Respondent.

No. H-40232 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On October 8, 2016, a Decision was rendered in Case No. H-40232 LA revoking the real estate broker license of Respondent effective November 7, 2016.

On October 15, 2019, 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 Department has developed criteria in Section 2911 of Title 10, California
2 Code of 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

5 **2911. Criteria for Rehabilitation**

6 *(a)(2) Restitution to any person who has suffered monetary losses through*
7 *substantially related” acts or omissions of the applicant, or escheat to the State of*
8 *these monies or other properties if the victim(s) cannot be located.*

9 Paragraph 6 of the Decision for Case No. H-40232 LA found that Respondent
10 misappropriated \$8,130 in trust funds without the knowledge and permission of
11 borrower Enrique A. Respondent has submitted no evidence of paying restitution
12 to Enrique A.

13 *(a)(12) Significant or conscientious involvement in community, church or*
14 *privately-sponsored programs designed to provide social benefits or to*
15 *ameliorate social problems.*

16 In response to Question 18 on his Petition Application, to wit: “Since the date of
17 discipline, are you are have you been active in social, civic or community
18 groups?”, Respondent answered “No”.

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

22 Given the violations found and the fact that Respondent has not established that
23 Respondent has satisfied Regulations 2911(a)(2) and (a)(12), I am not satisfied that Respondent
24 is 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.

This Order shall become effective at 12 o'clock noon on JAN 04 2021.

IT IS SO ORDERED 11.29.20

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER

Douglas R. McCauley