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**FILED**

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DEPT. OF REAL ESTATE

By R. Rosal

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of: ) DRE Nos. H-37351 LA &  
ARMANDO MIRANDA, JR, ) H-40698 LA  
Respondent. )  
\_\_\_\_\_ )

ORDER DENYING REMOVAL OF DISCIPLINE INFORMATION FROM RESPONDENT'S  
PUBLIC INFORMATION PAGE ON THE DEPARTMENT OF REAL ESTATE'S WEBSITE

On March 20, 2012, in Case No. H-37351 LA, a Decision was rendered disciplining the real estate broker license of Respondent, effective April 24, 2012. On September 21, 2017, in Case No. H-40698 LA, a Decision was rendered disciplining the real estate broker license of Respondent effective October 23, 2017.

On June 24, 2024, Respondent petitioned for the removal of discipline information from Respondent's Public Information Page on the Department of Real Estate's Website ("the Website").

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).

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

3 The Department has developed criteria in Sections 2915 and 2912 of Title 10,  
4 California Code of Regulations (Regulations) to assist in evaluating the qualifications of a  
5 petitioner for the removal of discipline information from the website. Among the criteria relevant  
6 in this proceeding are:

7 Regulation 2915(a): The license discipline must have an effective date more than ten  
8 (10) years prior. Since the effective date of Case No. H-40698 LA was October 23, 2017, this  
9 discipline is not eligible for removal from the website.

10 Regulation 2915(f)(3): Requires the Commissioner to consider if the Petitioner's  
11 concurrent petition to remove restrictions is not granted. On , an Order Denying Reinstatement  
12 of License was signed for Case Nos. H-37351 LA and H-40698 LA.

13 Respondent has failed to demonstrate to my satisfaction that Respondent is not a  
14 credible risk to the public and that Respondent has undergone sufficient rehabilitation to warrant  
15 the removal of discipline information from the Website.

16 Given the violations found and the fact that Respondent has not established that  
17 Respondent has satisfied Regulation 2915, I am not satisfied that Respondent is sufficiently  
18 rehabilitated for the removal of discipline information from the website.

19 The earliest date on which the Respondent may submit a new petition for the  
20 removal of discipline from the website is one year from the effective date of this Decision. If, and  
21 when petition is again made for this licensee, all competent evidence of rehabilitation presented by  
22 the Respondent will be considered by the Real Estate Commissioner.

23 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for the removal  
24 of discipline information from the Website is denied.

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This Order shall become effective immediately.

DATED: 11/7/2024

CHIKA SUNQUIST  
REAL ESTATE COMMISSIONER

  
By: Marcus L. McCarther  
Chief Deputy Real Estate Commissioner