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FILED

APR 03 2020

DEPT. OF REAL ESTATE

By R. P. S. C. C.

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

WEI ZHANG ALARID,

No. H-40746 LA

Respondent.

ORDER DENYING REINSTATEMENT OF LICENSE

On August 14, 2018, a Decision was rendered in Case No. H-40746 LA revoking the real estate broker license of Respondent effective September 4, 2018.

On September 30, 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 Respondent improperly deposited \$7,910 in trust funds for a real estate transaction
10 into her bank account. On the dates of the administrative hearing (March 26 and 27, 2018), the
11 victim had not received repayment of these trust funds. Respondent has offered no evidence that
12 the victim has received restitution, nor has she offered evidence of bona fide efforts towards
13 obtaining restitution for the victim.

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

17 Given the violations found and the fact that Respondent has not established that
18 Respondent has satisfied Regulation 2911(a)(2) I am not satisfied that Respondent is sufficiently
19 rehabilitated to receive a real estate broker license.

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

22 This Order shall become effective at 12 o'clock noon on APR 23 2020

23 IT IS SO ORDERED 3/30/20

24 SANDRA KNAU
25 ACTING REAL ESTATE COMMISSIONER
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