

FILED

NOV 29 2023

DEPT. OF REAL ESTATE
By R. M. Sack

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Application of

JEFFREY JAMES HUNTER,

No. H-40799 LA

Respondent.

ORDER DENYING REMOVAL OF RESTRICTIONS ON LICENSE

On October 3, 2017, a Decision was rendered herein denying Respondent's application for a real estate salesperson license, but granting Respondent the right to the issuance of a restricted real estate salesperson license. A restricted real estate salesperson license was issued to Respondent on October 23, 2017, and Respondent has held a restricted license since that time.

On January 12, 2023, Respondent petitioned for the removal of restrictions attaching to Respondent's real estate salesperson license.

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 Respondent's petition and the evidence submitted in support

1 thereof.

2 The Department has developed criteria in Section 2911 of Title 10, California
3 Code of Regulations ("Regulations") to assist in evaluating the rehabilitation of an applicant for
4 issuance or reinstatement of a license. Among the criteria relevant in this proceeding are:

5 ***2911. Criteria for Rehabilitation***

6
7 *(a) (9) Completion of, or sustained enrollment in, formal education or vocational
8 training courses for economic self-improvement.*

9 Respondent presented no evidence of completing any such courses.

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

12 On November 19, 2001, before the Superior Court of California, County of Los
13 Angeles, a \$5,177 judgment was entered against Respondent, in favor of The Ford
14 Motor Credit Company.

15 On August 25, 2009, Before the Superior Court of California, County of
16 Sacramento, a \$2,405 judgement was entered against Respondent, in favor of the
17 Employment Development Department of California.

18 Respondent has presented no evidence of satisfying either of these judgments.

19 *(a)(14) Change in attitude from that which existed at the time of the conduct in
20 question as evidenced by the following:*

21 *(A) Testimony and/or other evidence of rehabilitation submitted by the applicant.*

22 The Department of Real Estate made multiple attempts to schedule an interview
23 with Respondent. He failed to testify at any of the scheduled interviews.

24 *(B) Evidence from family members, friends and/or other persons familiar with
25 applicant's previous conduct and with his or her subsequent attitudes and/or
26 behavioral patterns.*

27 Respondent presented no such evidence.

 Respondent has failed to demonstrate to my satisfaction that Respondent has
undergone sufficient rehabilitation to warrant the removal of the restrictions on Respondent's real
estate salesperson license at this time.

1 Given the fact that Respondent has not established that Respondent has complied
2 with Regulations 2911(a)(9), (a)(10), (a)(14)(A) and (a)(14)(B), I am not satisfied that
3 Respondent is sufficiently rehabilitated to receive an unrestricted salesperson license.

4 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for removal of
5 restrictions on Respondent's real estate salesperson license is denied.

6 This Order shall become effective at 12 o'clock noon on DEC 19 2023.

7 DATED 11/27/2023

8 DOUGLAS R. McCAULEY
9 REAL ESTATE COMMISSIONER

10 *Marcus L. McCarther*

11 By: Marcus L. McCarther
12 Chief Deputy Real Estate Commissioner