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**FILED**

JUL 16 2025

DEPT. OF REAL ESTATE  
By R. P. Sada

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of

ERICA DALILA HERRERA,

Respondent.

No. H-41393 LA

ORDER DENYING REINSTATEMENT OF LICENSE

BUT GRANTING RIGHT TO A RESTRICTED LICENSE

On March 2, 2020, in Case No. H-41393 LA, a Decision was rendered revoking the real estate salesperson license of Respondent effective April 24, 2020.

On September 26, 2024, Respondent petitioned for reinstatement of said real estate salesperson 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 Respondent's petition 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 Regulation 2911(10) Discharge of, or bona fide efforts toward discharging,  
5 adjudicated debts or monetary obligations to others.

6 Respondent has failed to make bona fide efforts towards discharging or paying  
7 two lax liens in the amount of \$925.00 and \$1,214.00.

8 Respondent has failed to demonstrate to my satisfaction that Respondent has  
9 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's unrestricted real  
10 estate salesperson license.

11 I am satisfied, however, that it will not be against the public interest to issue a  
12 restricted real estate salesperson license to Respondent.

13 A restricted real estate salesperson license shall be issued to Respondent pursuant  
14 to Section 10156.5 of the Business and Professions Code, if Respondent satisfies the following  
15 conditions prior to and as a condition of obtaining a restricted real estate salesperson license  
16 within twelve (12) months from the effective date of this Order:

- 17 1. Submits a completed application and pays the fee for a real estate  
18 salesperson license within the 12 month period following the effective date of this Order; and
- 19 2. Submits proof that Respondent has completed the education requirements  
20 for the license sought. The continuing education courses must be completed either (i) within the  
21 12 month period preceding the filing of the completed application, or (ii) within the 12 month  
22 period following the effective date of this Order.

23 The restricted license issued to Respondent shall be subject to all of the provisions  
24 of Section 10156.7 of the Business and Professions Code and to the following limitations,  
25 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

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1           A.     The restricted license issued to Respondent may be suspended prior to  
2 hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or  
3 plea of nolo contendere to a crime which is substantially related to Respondent's fitness or  
4 capacity as a real estate licensee.

5           B.     The restricted license issued to Respondent may be suspended prior to  
6 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner  
7 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands  
8 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted  
9 license.

10          C.     Respondent shall not be eligible to apply for the issuance of an  
11 unrestricted real estate license nor the removal of any of the limitations, conditions or restrictions  
12 of a restricted license until two (2) years have elapsed from the date of the issuance of the  
13 restricted license to Respondent.

14          D.     Respondent shall submit with any application for license under an  
15 employing broker, or any application for transfer to a new employing broker, a statement signed  
16 by the prospective employing real estate broker on a form approved by the Department of Real  
17 Estate which shall certify:

18               1.     That the employing broker has read the Decision of the Commissioner  
19 which granted the right to a restricted license; and

20               2.     That the employing broker will exercise close supervision over the  
21 performance by the restricted licensee relating to activities for which a real estate license is  
22 required.

23          E.     Respondent shall notify the Commissioner in writing within 72 hours of  
24 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate, 651  
25 Bannan Street, Suite 507, Sacramento, CA 95811. The letter shall set forth the date of  
26 Respondent's arrest, the crime for which Respondent was arrested and the name and address of  
27 the arresting law enforcement agency. Respondent's failure to timely file written notice shall

1 constitute an independent violation of the terms of the restricted license and shall be grounds for  
2 the suspension or revocation of that license.

3 This Order shall become effective at 12 o'clock noon on AUG 05 2025.

4 IT IS SO ORDERED

5 CHIKA SUNQUIST  
6 REAL ESTATE COMMISSIONER

7 

8 By: Marcus L. McCarther  
9 Chief Deputy Real Estate Commissioner