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JAN 03 2014

BUREAU OF REAL ESTATE

By *James D*

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BEFORE THE BUREAU OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of
GUIDO A. RODRIGUEZ,
Respondent.

No. H-30663 LA

ORDER DENYING REINSTATEMENT OF LICENSE

On November 19, 2004, a Decision was rendered allowing Respondent to surrender his real estate salesperson license.

On May 22, 2012, Respondent petitioned for reinstatement of said real estate salesperson license.

I have considered the petition of Respondent and the evidence submitted in support thereof. Respondent has failed to demonstrate to my satisfaction that Respondent has undergone sufficient rehabilitation to warrant the reinstatement of Respondent's real estate salesperson license at this time.

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 The Bureau has developed criteria in Section 2911 of Title 10, California Code of
2 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(j)—Discharge of, or bona fide efforts toward discharging
5 monetary obligations to others

6 Respondent has not provided proof of satisfaction of the amount owed from the
7 previous matter involving his license surrender.

8 Regulation 2911(n)(1)—Change of attitude from that which existed at the time of
9 the conduct in question as evidenced by any or all of the following:

10 (1) Testimony of applicant.

11 Respondent has no change in attitude and failed to take complete responsibility
12 for his actions.

13 Given the violations found and the fact that Respondent has not established that
14 Respondent has complied with Regulations 2911 (j), and (n)(1), I am not satisfied that
15 Respondent is sufficiently rehabilitated to receive a real estate salesperson license.

16 NOW, THEREFORE, IT IS ORDERED that Respondent's petition for
17 reinstatement of Respondent's real estate salesperson license is denied.

18 This Order shall become effective at 12 o'clock noon on JAN 24 2014

19 IT IS SO ORDERED JAN 02 2014

20
21 REAL ESTATE COMMISSIONER
22 

23 By: JEFFREY MASON
24 Chief Deputy Commissioner