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FILED

OCT 09 2023

DEPT. OF REAL ESTATE
By R. DuStelle

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of

ANNETTE LETICIA SANCHEZ,

Respondent.

No. H-40847 LA

ORDER DENYING REINSTATEMENT OF LICENSE
BUT GRANTING RIGHT TO A RESTRICTED LICENSE

On October 5, 2018, in Case No. H-40847 LA, an Order was rendered accepting the voluntary surrender of the real estate salesperson license of Respondent effective October 30, 2018.

On January 3, 2023, 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

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 reinstatement of a license. Among the criteria relevant in this proceeding are:

5
6 **2911. Criteria for Rehabilitation**

7 *(a) (13) New and different social and business relationships from those which
8 existed at the time of the conduct that is the basis for denial of the Bureau action
9 sought.*

10 Respondent participates in property management activities with Nelson Sanchez,
11 who was involved in the transaction which led to her license discipline in Case
12 No. H-40847 LA

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

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

16 During an interview with the Department of Real Estate on May 2, 2023,
17 Respondent minimized her knowledge of the transaction which led to her license
18 discipline, claiming she did not know about the purchase agreement that she
19 signed and the false bank documents submitted in the short sale transaction.

20 Respondent has failed to demonstrate to my satisfaction that Respondent has
21 undergone sufficient rehabilitation to warrant the reinstatement of Respondent's unrestricted real
22 estate salesperson license.

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

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

1. Submits a completed application and pays the fee for a real estate
salesperson license within the 12 month period following the effective date of this Order; and

1 2. Submits proof that Respondent has completed the continuing education
2 requirements for renewal of the license sought. The continuing education courses must be
3 completed either (i) within the 12 month period preceding the filing of the completed
4 application, or (ii) within the 12 month period following the effective date of this Order.

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

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

12 B. The restricted license issued to Respondent may be suspended prior to
13 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner
14 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
15 Law, Regulations of the Real Estate Commissioner or conditions attaching to the restricted
16 license.

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

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

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

27 2. That the employing broker will exercise close supervision over the

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performance by the restricted licensee relating to activities for which a real estate license is required.

This Order shall become effective at 12 o'clock noon on OCT 30 2023

IT IS SO ORDERED 10/2/2023

DOUGLAS R. McCAULEY
REAL ESTATE COMMISSIONER



By: Marcus L. McCarther
Chief Deputy Real Estate Commissioner