

PETITION APPLICATION FORM AND CHECKLIST
(REINSTATEMENT OR REMOVAL OF RESTRICTIONS)

RE 506 (Rev. 6/24)

HEARING NUMBER

H –

GENERAL INFORMATION

- ❖ Please read all instructions before completing this form. All petition applications must be accompanied by the petition fee (\$800) and one set of classifiable fingerprints submitted on a completed Live Scan Service Request form (RE 237). This form may be used to petition for reinstatement, or removal of restrictions.
- ❖ Once your application has been received, a background investigation will be conducted to determine if the applicable standard(s) has been met for granting the petition. If your petition is granted, an order will be provided setting forth the terms and conditions you will need to complete to obtain your license. In some circumstances, you may be required to again qualify for, take, and pass the appropriate real estate exam. This means that you must meet all requirements that are currently in effect at the time of application for the license.

This form covers:

- ❖ Petitioning for Reinstatement - A petition for reinstatement indicates that the license was issued on a plenary status (without restrictions) and the Department took disciplinary actions that resulted in either an outright revocation of the license or the issuance of a restricted license; thus the licensee is attempting to "reinstate" the license back to the original state. A petition to reinstate is also necessary when

the Commissioner has accepted a voluntary surrender of the license. (Refer to applicable Criteria for Rehabilitation found on pages 12 & 13.)

- ❖ Petition for Removal of Restrictions - A petition for removal of restrictions indicates that the license was issued on a restricted status from the onset and is petitioning to remove these restrictions so that the license would come into plenary status (without restrictions). (Refer to applicable Criteria for Rehabilitation Regulation 2911 found on page 12.)

Payment methods

Acceptable payment methods — Check, money order, cashiers' check, or credit card.

- Make check or money order payable to: **Department of Real Estate.**
- Credit card payments must be submitted with a Credit Card Payment (RE 909).
- Mail completed **Petition Application** and fee to:

Department of Real Estate
651 Bannon Street, STE 505
Attn: Petition Intake Unit
Sacramento, CA 95811

**CHECKLIST FOR PETITIONS FOR
REINSTATEMENT**

HAVE YOU COMPLETED THE FOLLOWING?

- ☐ Reviewed the formal order that disciplined your license to ensure that you meet the timeframes to petition for reinstatement and that you have met all terms and conditions of the order.
- ☐ Reviewed the applicable Criteria for Rehabilitation.
- ☐ Submitted original, dated, and signed reference letters.
- ☐ Complete and sign this form.
- ☐ Submitted a completed Livescan Service Request Form (RE 237), completed no earlier than 30 days before the date of mailing or delivering the petition application to the Department.
- ☐ Submitted the petition fee of \$800.
- ☐ If paying by credit card, submit with the Credit Card Payment Form (RE 909).

**CHECKLIST FOR PETITIONS FOR REMOVAL
OF RESTRICTIONS**

HAVE YOU COMPLETED THE FOLLOWING?

- ☐ Reviewed the formal order that restricted your license to ensure that you meet the timeframes to petition for removal of restrictions and that you have met all terms and conditions of the order.
- ☐ Reviewed the Criteria for Rehabilitation.
- ☐ Submitted original, dated, and signed reference letters.
- ☐ Complete and sign this form.
- ☐ Submitted a completed Livescan Service Request Form (RE 237), completed no earlier than 30 days before the date of mailing or delivering the petition application to the Department.
- ☐ Submitted the petition fee of \$800.
- ☐ If paying by credit card, submit with the Credit Card Payment Form (RE 909).

INSTRUCTIONS

- ❖ Type or print all information clearly.
- ❖ The Petition Application will be evaluated in accordance with the applicable Criteria for Rehabilitation, on pages 12 and 13.
- ❖ Please refer to the Privacy Notice on page 11.
- ❖ **Attach the petition fee of \$800 and completed Live Scan Service Request form (RE 237).**
- ❖ Mail the completed Petition Application to:
 Department of Real Estate
 651 Bannon Street, STE 505
 Attn: Petition Intake Unit
 Sacramento, CA 95811

PETITION INFORMATION

REAL ESTATE LICENSE TYPE SUBJECT TO THIS PETITION (CHECK ALL THAT APPLY)

☐ SALES ☐ BROKER ☐ OFFICER ☐ CORPORATION

MLO TYPE(S) (IF APPLICABLE)

☐ INDIVIDUAL ☐ COMPANY

NMLS ID NUMBER(S) (IF APPLICABLE)

PETITIONER NAME (LAST NAME, FIRST NAME)

CURRENT EMAIL ADDRESS

MAILING ADDRESS — STREET ADDRESS OR POST OFFICE BOX, CITY, STATE, ZIP CODE

CURRENT TELEPHONE NUMBER (INCLUDE AREA CODE)

()

BUSINESS TELEPHONE NUMBER (INCLUDE AREA CODE)

()

IF A CORPORATION LICENSE IS PART OF THIS PETITION, PLEASE ENTER THE CORPORATION NAME

ARE YOU A CURRENT OFFICER OF THE CORPORATION

☐ YES ☐ NO

IF YES, PLEASE PROVIDE SECRETARY OF STATE CERTIFICATE OF STATUS, CERTIFICATION OF FOREIGN CORPORATION, OR ARTICLES OF INCORPORATION AND YOUR CORPORATE OFFICE TITLE. PLEASE ALSO PROVIDE THE MOST RECENT CORPORATE STATEMENT INFORMATION.

IS AN OFFICER LICENSE PART OF THIS PETITION?

☐ YES ☐ NO

IF YES, ENTER THE NAME(S) OF THE CORPORATIONS FOR WHICH YOU WERE/ARE THE DESIGNATED OFFICER

1. LIST YOUR RESIDENCE ADDRESSES FOR THE LAST FIVE YEARS. (LIST THE MOST RECENT FIRST.)

FROM TO STREET ADDRESS, CITY, COUNTY

PRESENT

2. LIST EMPLOYMENT AND WORK SINCE THE FORMAL HEARING OR DECISION IMPOSING DISCIPLINE. (LIST THE MOST RECENT EMPLOYMENT FIRST. USE ADDITIONAL PAGES IF NECESSARY.)

FROM

TO

NAME AND ADDRESS OF EMPLOYER

POSITION AND DUTIES

PRESENT

"Convicted" as used in question 3 below includes:

- All state, commonwealth, possession, or federal misdemeanor and felony convictions, and all military and foreign convictions.
- A verdict of guilty by judge or jury, a plea of guilty, a plea of nolo contendere (or "no contest"), or a forfeiture of bail in the courts.
- **Convictions expunged under Penal Code sections 1203.4, 1203.4a and 1203.41 or equivalent non-California statute must still be disclosed. Proof that a conviction has been expunged under Penal Code sections 1203.4, 1203.4a and 1203.41, or non-California statute must be submitted with the Petition Application.**

Exceptions to "Convicted": DO NOT DISCLOSE

- Any Juvenile Court adjudication.
- Any conviction sealed under Penal Code section 1203.45 or Welfare and Institutions Code section 781.
- Any conviction under Health and Safety Code section 11357(b), (c), (d), or (e), or Health and Safety Code section 11360(b) **AFTER** at least two years have passed since the date of the conviction.

3. SINCE YOUR DATE OF DISCIPLINE, HAVE YOU EVER BEEN CONVICTED OF ANY VIOLATION OF LAW AT THE MISDEMEANOR OR FELONY LEVEL?

☐ NO ☐ YES IF YES, COMPLETE ITEM 4 BELOW.

4. LIST ALL ARRESTS AND CONVICTIONS OF LAW, COMPLETING ITEMS 4A-4F BELOW (ONE PER ARREST OR CONVICTION).

- ATTACH ADDITIONAL SHEETS, IF NECESSARY.

SAMPLE	DATE OF ARREST 5/15/89		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.) Sacramento City Police, 123 Main St, Sacramento		
	CHARGE Petty Theft		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.) Sacramento Municipal Ct., 456 Main St., Sacramento		
	DATE OF CONVICTION 6/15/89	CONVICTION TYPE ☐ FELONY ☒ MISDEMEANOR	SECTION NUMBER VIOLATED 484	CODE VIOLATED Penal Code	CASE/DOCKET NUMBER 12345
	DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS. Pled guilty; 6 months jail; work furlough; 1 year probation; \$200 fine; \$75 restitution				
	DATE FINES OR RESTITUTION PAID IN FULL 9/1/89	DATE PROBATION OR PAROLE COMPLETED 6/15/90	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY 7/15/90	WAS DISCLOSURE MADE TO DRE? ☒ YES ☐ NO—EXPLAIN ON PAGE 10	

4A. DATE OF ARREST

ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)

CHARGE

COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)

DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10
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4B. DATE OF ARREST

ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)

CHARGE

COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)

DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10
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4C. DATE OF ARREST		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)		
CHARGE		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)		
DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10	
4D. DATE OF ARREST		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)		
CHARGE		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)		
DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10	
4E. DATE OF ARREST		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)		
CHARGE		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)		
DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10	
4F. DATE OF ARREST		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.)		
CHARGE		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.)		
DATE OF CONVICTION	CONVICTION TYPE ☐ FELONY ☐ MISDEMEANOR	SECTION NUMBER VIOLATED	CODE VIOLATED	CASE/DOCKET NUMBER
DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS.				

DATE FINES OR RESTITUTION PAID IN FULL	DATE PROBATION OR PAROLE COMPLETED	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY	WAS DISCLOSURE MADE TO DRE? ☐ YES ☐ NO—EXPLAIN ON PAGE 10	
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5. ARE THERE CRIMINAL CHARGES PENDING AGAINST YOU AT THIS TIME, OR ARE YOU CURRENTLY AWAITING JUDGMENT AND/OR SENTENCING FOLLOWING ENTRY OF A PLEA OR JURY VERDICT?
☐ NO ☐ YES IF YES, EXPLAIN ON PAGE 10.
6. HAVE YOU EVER BEEN REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO THE PROVISIONS OF SECTION 290 OF THE CALIFORNIA PENAL CODE OR ANY COMPARABLE LAW OF ANY STATE OR GOVERNMENTAL UNIT? ☐ NO ☐ YES IF YES, EXPLAIN ON PAGE 10
7. CIVIL COURT — HAVE YOU OR ANY ENTITY IN WHICH YOU HAD OWNERSHIP, HELD AN OFFICER TITLE, OR EXERCISED CONTROL ON OR OVER EVER BEEN A DEFENDANT OR A CROSS-DEFENDANT IN ANY CIVIL COURT LITIGATION (PAST OR CURRENT), INCLUDING SMALL CLAIMS COURT?
☐ NO ☐ YES IF YES, GIVE DETAILS BELOW. IN ADDITION, PLEASE PROVIDE CERTIFIED COPIES OF ALL COMPLAINTS AND JUDGMENTS. FAILURE TO PROVIDE THESE DOCUMENTS MAY CAUSE A DELAY IN THE REVIEW OF YOUR PETITION APPLICATION. **[NOTE: CONCEALING ANY COURT ACTION MAY BE GROUNDS TO DENY YOUR PETITION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.]**

S A M P L E	DATE OF CASE	CASE NUMBER	NAME OF PLAINTIFF
	6/1/85	12345	John Doe
	NAME OF COURT AND ADDRESS		
	San Francisco Superior Ct., 123 Van Ness St, San Francisco		
	BRIEF DESCRIPTION OF CIVIL COMPLAINT		
	Misrepresentation and breach of fiduciary duty, failing to disclose a leaking roof		
	DATE OF JUDGMENT	DISPOSITION OF LITIGATION	
9/1/88	\$10,000 judgment against defendant		
HAS JUDGMENT BEEN SATISFIED?	IF YES, GIVE DATE		
☐ NO ☒ YES	12/1/88		

7A. DATE OF CASE	CASE NUMBER	NAME OF PLAINTIFF
NAME OF COURT AND ADDRESS		

BRIEF DESCRIPTION OF CIVIL COMPLAINT

DATE OF JUDGMENT	DISPOSITION OF LITIGATION
HAS JUDGMENT BEEN SATISFIED?	IF YES, DATE OF SATISFACTION
☐ NO ☐ YES	

7B. DATE OF CASE	CASE NUMBER	NAME OF PLAINTIFF
NAME OF COURT AND ADDRESS		

BRIEF DESCRIPTION OF CIVIL COMPLAINT

DATE OF JUDGMENT	DISPOSITION OF LITIGATION
HAS JUDGMENT BEEN SATISFIED?	IF YES, DATE OF SATISFACTION
☐ NO ☐ YES	

7C. DATE OF CASE	CASE NUMBER	NAME OF PLAINTIFF
NAME OF COURT AND ADDRESS		

BRIEF DESCRIPTION OF CIVIL COMPLAINT

DATE OF JUDGMENT	DISPOSITION OF LITIGATION
HAS JUDGMENT BEEN SATISFIED?	IF YES, DATE OF SATISFACTION
☐ NO ☐ YES	

8. PAST DUE DEBTS — SINCE THE DATE OF DISCIPLINE, DO YOU HAVE ANY PAST-DUE DEBTS, OUTSTANDING JUDGMENTS, RESTITUTION ORDERS, IRS OR STATE TAX LIENS, OR HAVE YOU FILED BANKRUPTCY?

☐ NO

☐ YES

IF YES, EXPLAIN BELOW, INCLUDING EFFORTS TO DISCHARGE ADJUDICATED DEBTS OR MONETARY OBLIGATIONS TO OTHERS. IF YOU HAVE FILED BANKRUPTCY SINCE DATE OF DISCIPLINE, PLEASE ATTACH A CERTIFIED COPY OF YOUR INITIAL BANKRUPTCY PETITION, INCLUDING THE LIST OF CREDITORS, ANY DISCHARGE YOU MAY HAVE RECEIVED, TOGETHER WITH COPIES OF ANY ADVERSARY COMPLAINTS AND JUDGMENTS THAT MAY HAVE BEEN FILED IN CONNECTION WITH YOUR BANKRUPTCY PETITION.

9. RESTITUTION — HAS RESTITUTION BEEN MADE TO ANY PERSON WHO HAS SUFFERED MONETARY LOSSES THROUGH "SUBSTANTIALLY RELATED" ACTS OR OMISSIONS BY YOU THAT FORMED THE BASIS FOR EARLIER LICENSE DISCIPLINE? ALTERNATIVELY, IF THE VICTIM(S) COULD NOT BE LOCATED FOR PAYMENT OF RESTITUTION, DID YOU ESCHEAT THIS MONEY IN THE NAME OF THE VICTIM(S) TO THE STATE?

☐ NO

☐ YES

IF YES, PROVIDE DETAILS BELOW.

DATE	NAME AND ADDRESS OF PARTY	AMOUNT

COMMENTS

10. BUSINESS PRACTICES - IF THE DISCIPLINE WAS RELATED TO BUSINESS PRACTICES, EXPLAIN WHAT STEPS AND EFFORTS HAVE BEEN MADE TOWARD CORRECTION.

11. LICENSES — DO YOU HOLD OR HAVE YOU EVER HELD ANY KIND OF BUSINESS OR PROFESSIONAL LICENSE IN CALIFORNIA OR ANY OTHER STATE?

☐ NO

☐ YES

IF YES, STATE THE TYPE AND PURPOSE OF THE LICENSE AND HOW LONG HELD.

- 11A. HAVE YOU EVER SURRENDERED OR HAD A DENIED, SUSPENDED, RESTRICTED, OR REVOKED BUSINESS OR PROFESSIONAL LICENSE (INCLUDING REAL ESTATE) IN CALIFORNIA OR ANY OTHER STATE?

☐ NO

☐ YES

IF YES, EXPLAIN BELOW.

☐ NO ☐ YES IF YES, EXPLAIN BELOW.

☐ NO ☐ YES IF YES, EXPLAIN BELOW.

☐ NO ☐ YES ☐ NOT APPLICABLE (SKIP QUESTIONS 14 AND 15)

☐ NO ☐ YES☐ NO ☐ YES

IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE DETAIL THE EXTENT AND COMPLETION OF REHABILITATIVE ACTION, IF ANY, EXPLAINING WHO, WHAT, WHERE, AND HOW LONG.

16. HAVE YOU EVER BEEN ORDERED TO PAY ALIMONY?

☐ NO ☐ YES

IF YES, ARE PAYMENTS CURRENT?

☐ NO☐ YES

IF NO, EXPLAIN ON PAGE 10.

HAVE YOU EVER BEEN ORDERED TO PROVIDE CHILD SUPPORT?

☐ NO ☐ YES

IF YES, ARE SUPPORT PAYMENTS CURRENT?

☐ NO☐ YES

IF NO, EXPLAIN ON PAGE 10.

17. SINCE THE DATE OF DISCIPLINE, LIST ANY EDUCATIONAL COURSES COMPLETED, INCLUDING CONTINUING EDUCATION COURSES, NUMBER OF HOURS COMPLETED, AND THE DATES THE COURSES WERE COMPLETED.

18. COMMUNITY GROUPS — SINCE THE DATE OF DISCIPLINE, ARE YOU OR HAVE YOU BEEN ACTIVE IN SOCIAL, CIVIC, OR COMMUNITY GROUPS?

☐ NO ☐ YES IF YES, DESCRIBE THE GROUP, THE DATES OF YOUR INVOLVEMENT, AND YOUR EXTENT OF ACTIVITY.

DATE	NAME OF SOCIAL, CIVIC, OR COMMUNITY GROUP

19. MILITARY SERVICE — HAVE YOU EVER SERVED IN THE MILITARY?

☐ NO ☐ YES IF YES, LIST BRANCH OF SERVICE, LENGTH OF SERVICE, RANK/RATING, WHETHER ANY DISCIPLINARY ACTION (I.E., COURT MARTIAL), AND TYPE OF DISCHARGE INCLUDING REASON FOR SEPARATION.

20. BONDS — HAVE YOU EVER BEEN BONDED?

☐ NO ☐ YES IF YES, LIST THE POSITION, COVERAGES, AMOUNT OF BOND, INDIVIDUAL OR BLANKET BOND, AND IF ANY CLAIMS WERE EVER MADE AGAINST SUCH BOND(S).

21. USE SPACE BELOW TO MAKE ANY ADDITIONAL STATEMENT(S) IN SUPPORT OF YOUR CLAIM OF REHABILITATION. ATTACH RECENT (ORIGINAL, SIGNED, AND DATED) LETTERS FROM PROBATION OR PAROLE OFFICER, FAMILY MEMBERS, BUSINESS ASSOCIATES, CLIENTS, REHABILITATION COUNSELORS, OR PSYCHOLOGISTS, ETC., IF ANY. YOU MAY ALSO PROVIDE ANY OTHER DOCUMENTATION THAT SUPPORT YOUR CLAIMS OF REHABILITATION.

NOTE: STATEMENTS RELATING TO 3, 4, 5, 6, AND 16 ARE TO BE PROVIDED BELOW.

[illegible]

I understand that the \$800 fee is not refundable and does not guarantee approval of my Petition.

DATE _____



**DEPARTMENT OF REAL ESTATE
DISTRICT OFFICES****Fresno District Office**

2550 Mariposa Mall, Suite 3070
Fresno, CA 93721-2273

Los Angeles District Office

320 W. 4th Street, Suite 350
Los Angeles, CA 90013-1105

Oakland District Office

1515 Clay Street, Suite 702
Oakland, CA 94612-1462

Sacramento Principal Office

651 Bannon Street STE 500
Sacramento, CA 95811

San Diego District Office

8620 Spectrum Center Blvd, Suite 301
San Diego, CA 92123

PRIVACY NOTICE: Section 1798.17 of the Civil Code requires this notice be provided when collecting personal or confidential information from individuals. Each individual has the right to review personal information maintained by this agency, unless access is exempted by law.

Department of Real Estate
651 Bannon Street, STE 505
Attn: Petition Intake Unit
Sacramento, CA 95815

Petition Intake Unit Telephone:
(916) 737-4538

Article 3 of Chapter 3 (commencing with Section 10175), Article 4, Chapter 7 (commencing with Section 10560 of the Business and Professions Code) and Sections 14540 & 14740 et seq. of the Government Code authorizes the maintenance of this information.

Failure to submit all of the information requested on the enclosed form may impair the ability of the Commissioner to fully evaluate whether you meet the standard for the relief sought. The lack of a satisfactory explanation as to the reason for not revealing a criminal conviction on your Petition may result in a recommendation to deny the Petition.

The information requested in this form is primarily used for the purpose of aiding the Commissioner in evaluating the fitness of a Petitioner with respect to the licensing matter at hand and may be used as an admission of the facts in an action brought to deny a Petition.

This information may be released as evidence at a hearing in Superior Court or to other governmental entities including law enforcement agencies.

2911. Criteria for Rehabilitation (Denial)

(a) The following criteria have been developed and will be considered by the Bureau pursuant to Section 482 of the Business and Professions Code for the purpose of evaluating whether or not an applicant is rehabilitated for purposes of issuance or for reinstatement of a license:

(1) The time that has elapsed since commission of the act(s) or offense(s):

(A) The passage of less than two years after the most recent criminal conviction or act of the applicant that is a cause of action in the Bureau's Statement of Issues against the applicant is inadequate to demonstrate rehabilitation.

(B) Notwithstanding subdivision (a)(1)(A), above, the two year period may be increased based upon consideration of the following:

(i) The nature and severity of the crime(s) and/or act(s) committed by the applicant

(ii) The applicant's history of criminal convictions and/or license discipline that are "substantially related" to the qualifications, functions, or duties of a real estate licensee. However, no rehabilitation shall be required where the sole proven basis or bases for denial of an application is an expunged conviction as described in Business and Professions Code Section 480(c).

(2) Restitution to any person who has suffered monetary losses through "substantially related" acts or omissions of the applicant, or escheat to the State of these monies or other properties if the victim(s) cannot be located.

(3) Expungement of criminal convictions.

(4) Expungement or discontinuance of a requirement of registration pursuant to the provisions of Section 290 of the Penal Code.

(5) Successful completion or early discharge from probation or parole.

(6) Abstinence from the use of controlled substances and/or alcohol for not less than two years if the conduct which is the basis to deny the Bureau action sought is attributable in part to the use of controlled substances and/or alcohol.

(7) Payment of the fine and/or other monetary penalty imposed in connection with a criminal conviction or quasi-criminal judgment.

(8) Stability of family life and fulfillment of parental and familial responsibilities subsequent to the conviction or conduct that is the basis for denial of the Bureau action sought.

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

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

(11) Correction of business practices resulting in injury to others or with the potential to cause such injury.

(12) Significant or conscientious involvement in community, church or privately-sponsored programs designed to provide social benefits or to ameliorate social problems.

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

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

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

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

(C) Evidence from probation or parole officers and/or law enforcement officials competent to testify as to applicant's social adjustments.

(D) Evidence from psychiatrists or other persons competent to testify with regard to neuropsychiatric or emotional disturbances.

(E) Absence of subsequent felony convictions, misdemeanor convictions, or other conduct that provides grounds to discipline a real estate licensee, which reflect an inability to conform to societal rules when considered in light of the conduct in question.

(b) The SAFE Act, commencing with section 10166.01 of the Business and Professions Code, imposes specific conditions that apply to applications for a mortgage loan originator license endorsement. Each of the above criteria notwithstanding, no mortgage loan originator license endorsement shall be issued to an applicant for such license endorsement where the applicant:

(1) Has been convicted of any felony during the seven year period preceding the date of his or her application for a license endorsement. This ban is not subject to mitigation or rehabilitation unless the felony conviction has been expunged or pardoned, or unless the real estate licensee has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(2) Has ever been convicted of a felony where such felony involved an act of fraud, dishonesty, a breach of trust, or money laundering. This ban is not subject to mitigation or rehabilitation unless the felony conviction has been expunged or pardoned, or unless the real estate licensee has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

2912. Criteria for Rehabilitation (Revocation or Suspension)

The following criteria have been developed and will be considered by the Bureau pursuant to Section 482 of the Business and Professions Code for the purpose of evaluating whether or not a licensee against whom an administrative disciplinary proceeding for revocation or suspension of the license has been initiated on account of a crime committed by the licensee is rehabilitated:

- (a) The time that has elapsed since commission of the act(s) or offense(s):
 - (1) The passage of less than two years after the most recent criminal conviction or act of the licensee that is a cause of action in the Bureau's Accusation against the licensee is inadequate to demonstrate rehabilitation.
 - (2) Notwithstanding subdivision (a)(1), above, the two year period may be increased based upon consideration of the following:
 - (A) The nature and severity of the crime(s) and/or act(s) committed by the licensee.
 - (B) The licensee's history of criminal convictions and/or license discipline that are "substantially related" to the qualifications, functions, or duties of a real estate licensee.
- (b) Restitution to any person who has suffered monetary losses through "substantially related" acts or omissions of the licensee, or escheat to the State of these monies or other properties if the victim(s) cannot be located.
- (c) Expungement of the conviction(s) which culminated in the administrative proceeding to take disciplinary action.
- (d) Expungement or discontinuance of a requirement of registration pursuant to the provisions of Section 290 of the Penal Code.
- (e) Successful completion or early discharge from probation or parole.
- (f) Abstinence from the use of controlled substances and/or alcohol for not less than two years if the criminal conviction was attributable in part to the use of a controlled substance and/or alcohol.
- (g) Payment of any fine imposed in connection with the criminal conviction that is the basis for revocation or suspension of the license.
- (h) Correction of business practices responsible in some degree for the crime or crimes of which the licensee was convicted.
- (i) New and different social and business relationships from those which existed at the time of the commission of the acts that led to the criminal conviction or convictions in question.
- (j) Stability of family life and fulfillment of parental and familial responsibilities subsequent to the criminal conviction.
- (k) Completion of, or sustained enrollment in, formal educational or vocational training courses for economic self-improvement.
- (l) Significant and conscientious involvement in community, church or privately-sponsored programs designed to provide social benefits or to ameliorate social problems.
- (m) Change in attitude from that which existed at the time of the commission of the criminal acts in question as evidenced by any or all of the following:
 - (1) Testimony and/or other evidence of rehabilitation submitted by the licensee.
 - (2) Evidence from family members, friends and/or other persons familiar with the licensee's previous conduct and with subsequent attitudes and/or behavioral patterns.
 - (3) Evidence from probation or parole officers and/or law enforcement officials competent to testify as to licensee's social adjustments.
 - (4) Evidence from psychiatrists, clinical psychologists, sociologists or other persons competent to testify with regard to neuropsychiatric or emotional disturbances.
 - (5) Absence of subsequent felony convictions, misdemeanor convictions, or other conduct that provides grounds to discipline a real estate licensee, which reflect an inability to conform to societal rules when considered in light of the conduct in question.