

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

RE 506 (Rev. 3/19)

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  
Attn: Petition Intake Unit  
P.O. Box 137012  
Sacramento, CA 95813-7012

**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).



"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.

<b>S A M P L E</b>	DATE OF ARREST <b>5/15/89</b>		ARRESTING AGENCY AND ADDRESS (POLICE, SHERIFF, ETC.) <b>Sacramento City Police, 123 Main St, Sacramento</b>			
	CHARGE <b>Petty Theft</b>		COURT OF CONVICTION AND ADDRESS (FEDERAL, MUNICIPAL, SUPERIOR, ETC.) <b>Sacramento Municipal Ct., 456 Main St., Sacramento</b>			
	DATE OF CONVICTION <b>6/15/89</b>	CONVICTION TYPE <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR	SECTION NUMBER VIOLATED <b>484</b>	CODE VIOLATED <b>Penal Code</b>	CASE/DOCKET NUMBER <b>12345</b>	
	DISPOSITION — INCLUDING WHETHER PLED GUILTY, NOLO CONTENDERE, CONVICTED, ACQUITTED, SENTENCE, FINE, PROBATION, DISPOSITION, AND TERMS. <b>Pled guilty; 6 months jail; work furlough; 1 year probation; \$200 fine; \$75 restitution</b>					
	DATE FINES OR RESTITUTION PAID IN FULL <b>9/1/89</b>	DATE PROBATION OR PAROLE COMPLETED <b>6/15/90</b>	DATE PARDONED, EXPUNGED, OR DISMISSED, IF ANY <b>7/15/90</b>		WAS DISCLOSURE MADE TO DRE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10	
	4A. DATE OF ARREST					

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E**

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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10
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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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> 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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10
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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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10
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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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10
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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 <input type="checkbox"/> FELONY <input type="checkbox"/> 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? <input type="checkbox"/> YES <input type="checkbox"/> 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.]

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

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	
<input type="checkbox"/> NO <input type="checkbox"/> 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	
<input type="checkbox"/> NO <input type="checkbox"/> 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	
<input type="checkbox"/> NO <input type="checkbox"/> 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 PETITIONER 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 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.



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.

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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

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.

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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).

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**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**

1651 Exposition Blvd.  
Sacramento, CA 95815

**San Diego District Office**

1350 Front Street, Suite 1063  
San Diego, CA 92101-3608

**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  
Attn: Petition Intake Unit  
P. O. Box 137012  
Sacramento, CA 95813-7012

Petition Intake Unit  
Telephone: (916) 576-5544

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.