

PETITION APPLICATION FORM AND CHECKLIST
(REMOVAL OF DISCIPLINE INFORMATION FROM
DRE WEBSITE)

RE 506R (Rev. 9/21)

HEARING NUMBER

H –

GENERAL INFORMATION

- ❖ Please read all instructions before completing this form. All petition applications must be accompanied by the petition fee (\$1275) 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 removal of discipline information from the petitioner's public license information on the Department of Real Estate's website.
- ❖ In order to petition, the petitioner must have:
 - Current licensed status, and,
 - It must have been at least 10 years from the effective date of the discipline.
- ❖ Once your application has been received, a background investigation will be conducted to determine if the applicable standard has been met for granting the petition.

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 Form (RE 909).
- Mail completed **Petition Application and fee** to:
Department of Real Estate
Attn: Petition Intake Unit
1651 Exposition Blvd.
Sacramento, CA 95815

CHECKLIST FOR PETITIONS FOR REMOVAL OF DISCIPLINE INFORMATION FROM THE DEPARTMENT OF REAL ESTATE'S WEBSITE

HAVE YOU COMPLETED THE FOLLOWING?

- Reviewed the formal order that disciplined your license to ensure that it has been at least **10 years** from the effective date of that decision.
- Reviewed the applicable Criteria for Rehabilitation.
- Submitted original, dated, and signed reference letters.
- Complete and sign this form.
- Submitted a 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 \$1275.
- 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.

S A M P L E	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 <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> 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? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO—EXPLAIN ON PAGE 10	
	4A. DATE OF ARREST					

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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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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.]

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		
<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	12/1/88		

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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.

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.

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.

Lined writing area for providing additional statements or documentation.

**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
1651 Exposition Blvd.
Sacramento, CA 95815

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.

2915. Substantial Relationship and Rehabilitation Criteria (Petitions for Removal of License Discipline Information from Department Internet Posting).

- (a) This section establishes the process and standards for a petition by a current licensee, as defined by section 10011 of the Code, seeking removal of license discipline information from the Department internet website (“the website”) for license discipline with an effective date more than ten (10) years prior, pursuant to section 10083.2 of the Code.
- (b) A petitioner must submit the following information before the Department considers the petition complete:
- (1) A list of petitioner’s criminal convictions since the date of the most recent Department imposed license discipline for which the petitioner seeks removal from the website, including information on the date of the court action and identifying the court and jurisdiction of where the conviction occurred.
 - (A) “Conviction” includes all state, commonwealth, possession, federal, military, and foreign convictions. “Conviction” includes a verdict of guilty by judge or jury, a plea of guilty, of nolo contendere, or of no contest. A petitioner must disclose all convictions whether the plea or verdict was set aside, the conviction against the petitioner was dismissed or expunged, or if the petitioner was pardoned.
 - (B) For the purposes of this petition process, “Conviction” does not include:
 - (i) Convictions for infractions.
 - (ii) Convictions under section 11357(b), (c), (d), or (e) of the Health and Safety Code, or under section 11360(b) of the Health and Safety Code, if more than two years have passed since the date of the conviction.
 - (2) A list of all petitioner’s professional license discipline since the date that the Department imposed the most recent license discipline action for which the petitioner seeks removal from the website. Disclosed license discipline must include surrender of a license whether or not an investigation was pending, whether in California or elsewhere. Each item on this list must include the date of discipline, the license type, and the jurisdiction in which the discipline was ordered.
 - (3) A list of all criminal, civil, or license discipline actions currently pending against petitioner, including the jurisdiction in which the action is pending.
 - (4) A signed attestation by the petitioner that petitioner certifies (or declares) under penalty of perjury under the laws of the State of California that the information provided as part of the petition is true and correct.
- (c) A petitioner must submit all the following items before the Department considers the petition complete:
- (1) A petitioner must submit the fee amount of \$1,275.00 with each petition. This petition fee is deemed earned by the Department upon receipt and not refundable. A petitioner may petition concurrently, when eligible, for reinstatement of a license, or for removal of restrictions from a license, without additional charge. A petitioner may request removal of more than one eligible discipline action from the website with a single petition, without additional charge.
 - (2) A petitioner, or a broker-officer of a corporate petitioner, who resides in California must submit a completed copy of a Live Scan Service Request, Form RE 237 (Rev. 7/18), hereby incorporated by reference, completed not earlier than 30 days before the date of submission of the petition to the Department.
- (d) Section 10083.2 of the Code requires the petitioner to provide evidence of rehabilitation to the Commissioner indicating the posting of discipline is no longer needed to prevent a credible risk to members of the public. A petitioner may provide with the petition copies of any documentary evidence that supports petitioner’s claims regarding rehabilitation, including, but not limited to, documentation evidencing expungement of criminal convictions and documentation of completed restitution, if applicable.
- (e) The criteria for rehabilitation set forth in section 2911 of these Regulations will apply where a petitioner seeks removal of discipline information from the Department’s website stemming from a Statement of Issues or where petitioner’s license discipline stems from an original application for a license. The criteria for rehabilitation set forth in section 2912 of these Regulations will apply where a petitioner seeks removal of discipline information from the Department’s website stemming from an Accusation, surrender of a license, or other discipline actions ordered by the Commissioner except for a Statement of Issues.
- (f) In evaluating a petition, the Commissioner shall take into consideration other violations that present a credible risk to the members of the public since the posting of discipline requested for removal. The Commissioner shall consider, when assessing the credible risk to members of the public utilizing licensed activity by the petitioner, any evidence gathered from an investigation that reflects on petitioner’s propensity to honestly and fairly engage in activities requiring a real estate license. For purposes of this subsection, a “credible risk” may exist if any of the following circumstances apply:
- (1) Petitioner is currently registered pursuant to the provisions of section 290 of the Penal Code.

- (2) Petitioner is currently on probation or parole.
- (3) Petitioner’s license is currently subject to restrictions, and a concurrent petition to remove those restrictions is not granted.
- (4) There is any professional license discipline on petitioner’s Department record that is based on an offense that resulted in harm to a client or other consumer in a real estate transaction.
- (5) Petitioner does not make himself or herself reasonably available for interview by the Department investigator in the course of the petition investigation.
- (6) Petitioner has not reimbursed the Department for payments made from the Consumer Recovery Account associated with a claim filed wherein the petitioner was the judgment debtor.

- (g) If the Commissioner grants the petition after investigation, the Commissioner will order removal of the eligible discipline item or items from the licensee’s entry in the Public License Information feature on the website.
- (h) If the Commissioner denies the petition for removal of discipline from the Public License Information website feature, the petitioner may not submit a new petition for a minimum of one year from the effective date of the denial.

Note: Authority cited: Sections 10080 and 10083.2, Business and Professions Code. Reference: Section 10083.2, Business and Professions Code.
