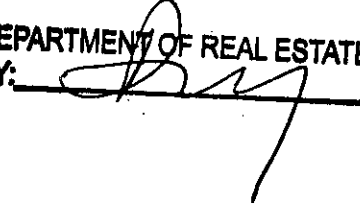


1 Department of Real Estate  
2 320 W. 4<sup>TH</sup> Street, Suite 350  
3 Los Angeles, CA 90013-1105

4 Telephone: (213) 576-6982

**FILED**

MAR 18 2012

DEPARTMENT OF REAL ESTATE  
BY: 

8  
9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Accusation of )  
12 )  
13 NOURY CORPORATION doing business )  
14 as Pacific Mortgage Broker and )  
15 Pacific Realtys; and )  
16 HOOSHANG NOORI-ALAGHA, )  
17 individually and as designated )  
18 officer of Noury Corporation; and )  
KIAN ASHKANIZADEH, )  
Respondents. )

No. H-37031 LA

STIPULATION  
AND  
AGREEMENT

19 It is hereby stipulated by and between Respondents  
20 NOURY CORPORATION and HOOSHANG NOORI-ALAGHA, individually and as  
21 designated officer of Noury Corporation (sometimes collectively  
22 referred to as "Respondents"), represented by Ghassan O. Hasan,  
23 Esq., and the Complainant, acting by and through Elliott Mac  
24 Lennan, Counsel for the Department of Real Estate, as follows for  
25 the purpose of settling and disposing of the Amended Accusation  
26 ("Accusation") filed on April 26, 2011, in this matter:  
27

1           1. All issues which were to be contested and all  
2 evidence which was to be presented by Complainant and Respondents  
3 at a formal hearing on the Accusation, which hearing was to be  
4 held in accordance with the provisions of the Administrative  
5 Procedure Act ("APA"), shall instead and in place thereof be  
6 submitted solely on the basis of the provisions of this  
7 Stipulation and Agreement ("Stipulation").

8           2. Respondents have received, read and understand the  
9 Statement to Respondent, the Discovery Provisions of the APA and  
10 the Accusation filed by the Department of Real Estate in this  
11 proceeding.

12           3. Respondents filed a Notice of Defense pursuant to  
13 Section 11506 of the Government Code for the purpose of  
14 requesting a hearing on the allegations in the Accusation.  
15 Respondents hereby freely and voluntarily withdraw said Notice of  
16 Defense. Respondents acknowledge that they understand that by  
17 withdrawing said Notice of Defense they thereby waive their right  
18 to require the Commissioner to prove the allegations in the  
19 Accusation at a contested hearing held in accordance with the  
20 provisions of the APA and that they will waive other rights  
21 afforded to them in connection with the hearing such as the right  
22 to present evidence in their defense the right to cross-examine  
23 witnesses.  
24

25           4. This Stipulation is based on the factual  
26 allegations contained in the Accusation. In the interest of  
27

1 expedience and economy, Respondents choose not to contest these  
2 allegations, but to remain silent and understand that, as a  
3 result thereof, these factual allegations, without being admitted  
4 or denied, will serve as a prima facie basis for the disciplinary  
5 action stipulated to herein. The Real Estate Commissioner shall  
6 not be required to provide further evidence to prove said factual  
7 allegations.

8           5. This Stipulation is made for the purpose of  
9 reaching an agreed disposition of this proceeding and is  
10 expressly limited to this proceeding and any other proceeding or  
11 case in which the Department of Real Estate ("Department"), or  
12 another licensing agency of this state, another state or if the  
13 federal government is involved, and otherwise shall not be  
14 admissible in any other criminal or civil proceeding.

15           6. It is understood by the parties that the Real  
16 Estate Commissioner may adopt this Stipulation as her Decision in  
17 this matter thereby imposing the penalty and sanctions on  
18 Respondents' real estate licenses and license rights as set forth  
19 in the below "Order". In the event that the Commissioner in her  
20 discretion does not adopt the Stipulation, the Stipulation shall  
21 be void and of no effect and Respondents shall retain the right  
22 to a hearing and proceeding on the Accusation under the  
23 provisions of the APA and shall not be bound by any stipulation  
24 or waiver made herein.

25  
26 ///

1           7. The Order or any subsequent Order of the Real  
2 Estate Commissioner made pursuant to this Stipulation shall not  
3 constitute an estoppel, merger or bar to any further  
4 administrative or civil proceedings by the Department of Real  
5 Estate with respect to any matters which were not specifically  
6 alleged to be causes for accusation in this proceeding.

7           8. Respondents understand that by agreeing to this  
8 Stipulation, Respondents agree to pay, pursuant to Business and  
9 Professions Code Section 10148, the cost of the audit which led  
10 to this disciplinary action. The amount of said cost is  
11 \$3,758.15.

12           9. Respondents have received, read, and understand the  
13 "Notice Concerning Costs of Subsequent Audit." Respondents  
14 further understand that by agreeing to this Stipulation, the  
15 findings set forth below in the Determination of Issues become  
16 final, and the Commissioner may charge Respondents for the cost  
17 of any subsequent audit conducted pursuant to Business and  
18 Professions Code Section 10148 to determine if the violations  
19 have been corrected. The maximum cost of the subsequent audit  
20 will not exceed \$3,758.15.

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DETERMINATION OF ISSUES

1                   By reason of the foregoing, it is stipulated and agreed  
2 that the following determination of issues shall be made:  
3

I.

4                   The conduct of NOURY CORPORATION, as described in  
5 Paragraph 4, herein above, is in violation of Sections 10085,  
6 10137, 10145, 10146 and 10240 of the Business and Professions  
7 Code ("Code") and Sections 2832, 2840, 2970 and 2972 of Title 10,  
8 Chapter 6 of the California Code of Regulations ("Regulations")  
9 and is a basis for discipline of Respondent's license and license  
10 rights as a violation of the Real Estate Law pursuant to Code  
11 Section 10177(d) and 10177(g).  
12

II.

13                   The conduct of HOOSHANG NOORI-ALAGHA, as described in  
14 Paragraph 4, above, constitutes a failure to keep NOURY  
15 CORPORATION in compliance with the Real Estate Law during the  
16 time that he was the officer designated by a corporate broker  
17 licensee in violation of Code Section 10159.2 of the Business and  
18 Professions Code, and is a basis for discipline of Respondent's  
19 license and license rights as a violation of the Real Estate Law  
20 pursuant to Code Section 10177(h).  
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ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

I.

The license and licensing rights of Respondents NOURY CORPORATION and HOOSHANG NOORI-ALAGHA, under the Real Estate Law, are suspended for a period of ninety (90) days from the effective date of this Decision.

A. Provided, however, that if Respondents request, the initial thirty (30) days of said suspension (or a portion thereof) shall be stayed for two (2) years upon condition that:

1. Each Respondent pays a monetary penalty pursuant to Section 10175.2 of the Business and Professions Code at the rate of \$166.67 per day for each day of the suspension for a monetary penalty of \$5,000 each Respondent.

2. Said payment shall be in the form of a cashier's check or certified check made payable to the Recovery Account of the Real Estate Fund. Said check must be received by the Department prior to the effective date of the Decision in this matter.

3. No further cause for disciplinary action against the real estate license of Respondents occur within two (2) years from the effective date of the Decision in this matter.

4. If Respondents fail to pay the monetary penalty in accordance with the terms of the Decision, the Commissioner may, without a hearing, order the immediate execution of all or any

1 part of the stayed suspension, in which event the Respondent  
2 shall not be entitled to any repayment nor credit, prorated or  
3 otherwise, for money paid to the Department under the terms of  
4 this Decision.

5 5. If Respondents pay the monetary penalty and if no  
6 further cause for disciplinary action against the real estate  
7 license of Respondent occurs within two (2) years from the  
8 effective date of the Decision, the stay hereby granted shall  
9 become permanent.

10 B. The remaining sixty (60) days of the ninety (90)  
11 day suspension shall be stayed for two (2) years upon the  
12 following terms and conditions:

13 1. Respondents shall obey all laws, rules and  
14 regulations governing the rights, duties and responsibilities of  
15 a real estate licensee in the State of California; and

16 2. That no final subsequent determination be made  
17 after hearing or upon stipulation, that cause for disciplinary  
18 action occurred within two (2) years from the effective date of  
19 this Decision. Should such a determination be made, the  
20 Commissioner may, in his discretion, vacate and set aside the  
21 stay order and reimpose all or a portion of the stayed  
22 suspension. Should no such determination be made, the stay  
23 imposed herein shall become permanent.

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6. Respondents NOURY CORPORATION and HOOSHANG NOORI-

ALAGHA shall, within six (6) months from the effective date of this Decision, present evidence satisfactory to the Real Estate Commissioner that (1) restitution of advance fees paid for loan modification services have either been repaid (2) or determined by the Real Estate Commissioner to be satisfied or not applicable, as tabled below:

Table: Loan Modification Applicant Restitution

Borrower-Applicant	Source	Advanced Fees Paid
Atmore	Audit Report	\$ 4,000
Maghizian/Molai	Audit Report	\$ 2,000
Hedayati/Eghani	Audit Report	\$ 4,000
Clarke	Audit Report	\$ 4,000
Motamedi	Audit Report	\$ 4,750
Mortiz	Audit Report	\$ 4,000
Yahyakhan	Audit Report	\$ 3,000
Riazi		\$15,000
Sub-total	Audit Report	\$40,750



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Borrower Applicant	Complainants in Accusation-non audit	Advanced Fees Paid
Rahnamai		\$ 2,500
Mohsenzadeh		\$ 8,000
Strol		\$ 4,000
Yonai		\$ 4,000
Sub-total		\$18,500

Borrower Applicant	Complainants not in Accusation	Advanced Fees Paid
Karamooz		\$ 7,000
Okahara		\$ 4,000
Babaiyans		\$10,500
Sub-total		\$21,500
Total Advance Fees		\$80,750

1 If Respondents fail to satisfy this condition, the  
2 Commissioner may order the suspension of the Respondents'  
3 licenses until Respondents presents such evidence.

4 To the extent that restitution repayment is applicable:

5 (1) Respondents shall deliver or mail the restitution  
6 payments, if any, by certified mail, return receipt requested, to  
7 the borrowers' last address on file with or known to Respondents.

8 (2) If any of the payments are returned by the Post  
9 Office marked "unable to deliver," Respondents shall employ a  
10 locator service (that may include or be limited to the Internet  
11 or other database retrieval search) to try and locate the  
12 aforsaid borrowers. Repayments shall then be made to the  
13 addresses recommended by the locator service.

14 (3) If Respondents are unable to effect restitution  
15 after using a locator service, Respondents shall provide  
16 reasonable proof satisfactory to the Commissioner of Respondents'  
17 efforts to comply with the provisions of this Paragraph. In such  
18 case, no further restitution payments shall be required of  
19 Respondents.

20 (4) However, should the Commissioner determine that  
21 proof to be unsatisfactory, the Commissioner shall so advise  
22 Respondents, and indicate what additional reasonable efforts  
23 should be made to effect repayment to the borrowers.

24 (5) If Respondents fail to satisfy this condition, the  
25 Commissioner may order suspension of Respondents' license until  
26

27

1 Respondents effect compliance herewith.

2 II.

3 Pursuant to Section 10148 of the Business and  
4 Professions Code, Respondents NOURY CORPORATION and HOOSHANG  
5 NOORI-ALAGHA shall pay the Commissioner's reasonable cost for (a)  
6 the audit which led to this disciplinary action and (b) a  
7 subsequent audit to determine if Respondents are now in  
8 compliance with the Real Estate Law. The cost of the audit which  
9 led to this disciplinary action is \$3,758.15. In calculating the  
10 amount of the Commissioner's reasonable cost, the Commissioner  
11 may use the estimated average hourly salary for all persons  
12 performing audits of real estate brokers, and shall include an  
13 allocation for travel time to and from the auditor's place of  
14 work. Said amount for the prior and subsequent audits shall not  
15 exceed \$7,516.30.

16  
17 Respondents NOURY CORPORATION and HOOSHANG NOORI-  
18 ALAGHA, or either of them, shall pay such cost within 60 days of  
19 receiving an invoice from the Commissioner detailing the  
20 activities performed during the audit and the amount of time  
21 spent performing those activities.

22 The Commissioner may suspend the licenses of  
23 Respondents pending a hearing held in accordance with Section  
24 11500, et seq., of the Government Code, if payment is not timely  
25 made as provided for herein, or as provided for in a subsequent  
26 agreement between said Respondents and the Commissioner. The  
27

1 suspension shall remain in effect until payment is made in full  
2 or until said Respondents enter into an agreement satisfactory to  
3 the Commissioner to provide for payment, or until a decision  
4 providing otherwise is adopted following a hearing held pursuant  
5 to this condition.

6 III.

7 All licenses and licensing rights of Respondent

8 HOOSHANG NOORI-ALAGHA are indefinitely suspended unless or until  
9 Respondent provides proof satisfactory to the Commissioner, of  
10 having taken and successfully completed the continuing education  
11 course on trust fund accounting and handling specified in  
12 paragraph (3) of subdivision (a) of Section 10170.5 of the  
13 Business and Professions Code. Proof of satisfaction of this  
14 requirement includes evidence that respondent has successfully  
15 completed the trust fund account and handling continuing  
16 education course within 120 days prior to the effective date of  
17 the Decision in this matter.

18 IV.

19 Respondent HOOSHANG NOORI-ALAGHA shall within six (6)

20 months from the effective date of the Decision herein, take and  
21 pass the Professional Responsibility Examination administered by  
22 the Department including the payment of the appropriate  
23 examination fee. If Respondent fails to satisfy this condition,  
24 the Commissioner may order suspension of Respondent's license  
25 until Respondent passes the examination.  
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Respondent HOOSHANG NOORI-ALAGHA shall, within nine (9)  
months from the effective date of this Decision, present evidence  
satisfactory to the Real Estate Commissioner that Respondent has,  
since the most recent issuance of an original or renewal real  
estate license, taken and successfully completed the continuing  
education requirements of Article 2.5 of Chapter 3 of the Real  
Estate Law for renewal of a real estate license. If Respondent  
fails to satisfy this condition, the Commissioner may order the  
suspension of Respondent's license until Respondent presents such  
evidence. The Commissioner shall afford Respondent the  
opportunity for a hearing pursuant to the Administrative  
Procedure Act to present such evidence.

DATED: 11-7-11

EJL  
ELLIOTT MAC LENNAN, Counsel for  
Department of Real Estate

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EXECUTION OF THE STIPULATION

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2  
3 We have read the Stipulation, and have discussed it  
4 with our counsel. Its terms are understood by us and are  
5 agreeable and acceptable to us. We understand that we are  
6 waiving rights given to us by the California Administrative  
7 Procedure Act (including but not limited to Sections 11506,  
8 11508, 11509 and 11513 of the Government Code), and we willingly,  
9 intelligently and voluntarily waive those rights, including the  
10 right of requiring the Commissioner to prove the allegations in  
11 the Accusation at a hearing at which we would have the right to  
12 cross-examine witnesses against us and to present evidence in  
13 defense and mitigation of the charges.

MAILING AND FACSIMILE

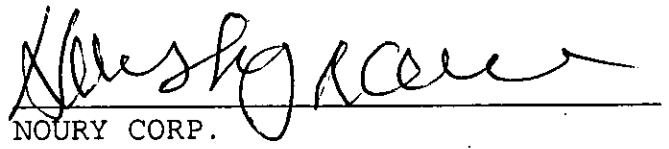
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16 Respondents (1) shall mail the original signed  
17 signature page of the stipulation herein to Elliott Mac Lennan:  
18 Attention: Legal Section, Department of Real Estate, 320 W.  
19 Fourth St., Suite 350, Los Angeles, California 90013-1105.  
20 Respondents shall also (2) facsimile a copy of signed signature  
21 page, to the Department at the following telephone/fax number:  
22 (213) 576-6917, Attention: Elliott Mac Lennan.

23 A facsimile constitutes acceptance and approval of the  
24 terms and conditions of this stipulation. Respondents agree,  
25 acknowledge and understand that by electronically sending to the  
26 Department a facsimile copy of Respondents' actual signature as  
27 it appears on the stipulation that receipt of the facsimile copy

1 by the Department shall be as binding on Respondents as if the  
2 Department had received the original signed stipulation.

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DATED: 11-7-11



HOUSHANG NOORI-ALAGHA

NOURY CORP.  
BY: HOUSHANG NOORI-ALAGHA, as  
designated officer  
Respondent

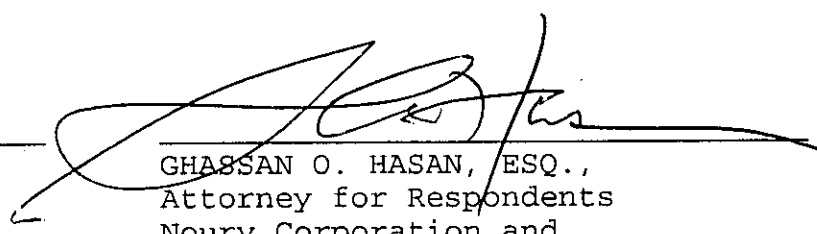
DATED: 11-7-11



HOUSHANG NOORI-ALAGHA

HOUSHANG NOORI-ALAGHA, individually  
and as designated officer of Noury  
Corporation, Respondent

DATED: 11-7-11



GHASSAN O. HASAN, ESQ.

Attorney for Respondents  
Noury Corporation and  
Hooshang Noori-Alagha  
Approved as to form

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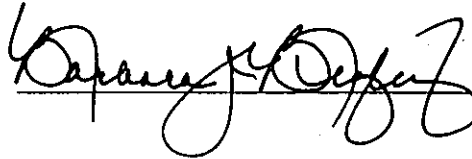
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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision as to Respondents NOURY CORPORATION and  
HOOSHANG NOORI-ALAGHA, individually and as designated officer of  
Noury Corporation and shall become effective at 12 o'clock noon  
on April 16 \_\_\_\_\_, 2012.

IT IS SO ORDERED 2/28 \_\_\_\_\_, 2012.

BARBARA J. BIGBY  
Acting Real Estate Commissioner





1 Department of Real Estate  
2 320 W. 4<sup>TH</sup> Street, Suite 350  
3 Los Angeles, CA 90013-1105  
4 Telephone: (213) 576-6982

**FILED**

MAR 16 2012

DEPARTMENT OF REAL ESTATE  
BY: 

9 BEFORE THE DEPARTMENT OF REAL ESTATE

10 STATE OF CALIFORNIA

\* \* \*

11 In the Matter of the Accusation of )  
12 NOURY CORPORATION doing business )  
13 as Pacific Mortgage Broker and )  
14 Pacific Realtys; and )  
15 HOOSHANG NOORI-ALAGHA, )  
16 individually and as designated )  
17 officer of Noury Corporation; and )  
18 KIAN ASHKANIZADEH, )  
19 Respondents. )

No. H-37031 LA

STIPULATION  
AND  
AGREEMENT

19 It is hereby stipulated by and between Respondent  
20 KIAN ASHKANIZADEH, and the Complainant, acting by and through  
21 Elliott Mac Lennan, Counsel for the Department of Real Estate, as  
22 follows for the purpose of settling and disposing of the Amended  
23 Accusation ("Accusation") filed on April 26, 2011, in this  
24 matter:

25 1. All issues which were to be contested and all  
26 evidence which was to be presented by Complainant and Respondent  
27

1 at a formal hearing on the Accusation, which hearing was to be  
2 held in accordance with the provisions of the Administrative  
3 Procedure Act ("APA"), shall instead and in place thereof be  
4 submitted solely on the basis of the provisions of this  
5 Stipulation and Agreement ("Stipulation").

6           2. Respondent has received, read and understands the  
7 Statement to Respondent, the Discovery Provisions of the APA and  
8 the Accusation filed by the Department of Real Estate in this  
9 proceeding.

10           3. Respondent timely filed a Notice of Defense  
11 pursuant to Section 11506 of the Government Code for the purpose  
12 of requesting a hearing on the allegations in the Accusation.  
13 Respondent hereby freely and voluntarily withdraws said Notice of  
14 Defense. Respondent acknowledges that he understands that by  
15 withdrawing said Notice of Defense he thereby waives his right to  
16 require the Commissioner to prove the allegations in the  
17 Accusation at a contested hearing held in accordance with the  
18 provisions of the APA and that he will waive other rights  
19 afforded to him in connection with the hearing such as the right  
20 to present evidence in his defense the right to cross-examine  
21 witnesses.  
22

23           4. This Stipulation is based on the factual  
24 allegations contained in the Accusation. In the interest of  
25 expedience and economy, Respondent chooses not to contest these  
26 allegations, but to remain silent and understands that, as a  
27

1 result thereof, these factual allegations, without being admitted  
2 or denied, will serve as a prima facie basis for the disciplinary  
3 action stipulated to herein. The Real Estate Commissioner shall  
4 not be required to provide further evidence to prove said factual  
5 allegations.

6 5. This Stipulation is made for the purpose of  
7 reaching an agreed disposition of this proceeding and is  
8 expressly limited to this proceeding and any other proceeding or  
9 case in which the Department of Real Estate ("Department"), the  
10 state or federal government, or any agency of this state, another  
11 state or federal government is involved, and otherwise shall not  
12 be admissible in any other criminal or civil proceedings.

13 6. It is understood by the parties that the Real  
14 Estate Commissioner may adopt this Stipulation as his Decision in  
15 this matter thereby imposing the penalty and sanctions on  
16 Respondent's real estate licenses and license rights as set forth  
17 in the "Order" herein below. In the event that the Commissioner  
18 in his discretion does not adopt the Stipulation, it shall be  
19 void and of no effect and Respondent shall retain the right to a  
20 hearing and proceeding on the Accusation under the provisions of  
21 the APA and shall not be bound by any stipulation or waiver made  
22 herein.  
23

24 7. The Order or any subsequent Order of the Real  
25 Estate Commissioner made pursuant to this Stipulation shall not  
26 constitute an estoppel, merger or bar to any further  
27

1 administrative or civil proceedings by the Department of Real  
2 Estate with respect to any matters which were not specifically  
3 alleged to be causes for Accusation in this proceeding but do  
4 constitute a bar, estoppel and merger as to any allegations  
5 actually contained in the Accusations against Respondent herein.

6 DETERMINATION OF ISSUES

7 By reason of the foregoing, it is stipulated and agreed  
8 that the following determination of issues shall be made:

9 The conduct of KIAN ASHKANIZADEH, as described in  
10 Paragraph 4, herein above, is in violation of Sections 10130 and  
11 10137 of the Business and Professions Code ("Code") and is a  
12 basis for discipline of Respondent's license and license rights  
13 as a violation of the Real Estate Law pursuant to Code Sections  
14 10130, 10137 and 10177(d).

15 ORDER

16 WHEREFORE, THE FOLLOWING ORDER is hereby made:

17 I.

18 The restricted real estate salesperson license of  
19 Respondent KIAN ASHKANIZADEH under the Real Estate Law is  
20 revoked; provided, however, a new restricted real estate  
21 salesperson license shall be issued to Respondent, pursuant to  
22 Section 10156.5 of the Business and Professions Code, if  
23 Respondent:

24 Makes application therefor and pays to the Department  
25 of Real Estate the appropriate fee for the restricted license  
26

1 within ninety (90) days from the effective date of this Decision.

2 The restricted license issued to Respondent shall be subject to  
3 all of the provisions of Section 10156.7 of the Code and the  
4 following limitations, conditions and restrictions imposed under  
5 authority of Section 10156.6 of that Code.

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

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

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

22 4. Respondent shall submit with any application for  
23 license under an employing broker, or any application for  
24 transfer to a new employing broker, a statement signed by the  
25  
26  
27

1 prospective employing real estate broker on a form approved by -  
2 the Department of Real Estate which shall certify:

3 (a) That the employing broker has read the  
4 Decision of the Commissioner which granted  
5 the right to a restricted license; and

6 (b) That the employing broker will exercise  
7 close supervision over the performance by  
8 the restricted licensee relating to  
9 activities for which a real estate license  
10 is required.

11  
12 II.

13 All licenses and licensing rights of Respondent KIAN  
14 ASHKANIZADEH are suspended for a period of ninety (90) days from  
15 the date of issuance of the new restricted salesperson license.

16 A. Provided, however, that if Respondent requests,  
17 said ninety (90) day suspension shall be stayed for two (2) years  
18 upon condition that:

19 1. Respondent pays a monetary penalty pursuant to  
20 Section 10175.2 of the Business and Professions Code at the rate  
21 of \$33.33 per day for each day of the suspension for a total  
22 monetary penalty of \$3,000.

23 2. Said payment shall be in the form of a cashier's  
24 check or certified check made payable to the Recovery Account of  
25 the Real Estate Fund. Said check must be received by the  
26 Department prior to the effective date of the Decision in this  
27

1 matter.

2 3. No further cause for disciplinary action against  
3 the real estate license of Respondent occurs within two (2) years  
4 from the effective date of the Decision in this matter.

5 4. If Respondent fails to pay the monetary penalty in  
6 accordance with the terms of the Decision, the Commissioner may,  
7 without a hearing, order the immediate execution of all or any  
8 part of the stayed suspension, in which event the Respondent  
9 shall not be entitled to any repayment nor credit, prorated or  
10 otherwise, for money paid to the Department under the terms of  
11 this Decision.

12 5. If Respondent pays the monetary penalty and if no  
13 further cause for disciplinary action against the real estate  
14 license of Respondent occurs within two (2) years from the  
15 effective date of the Decision, the stay hereby granted shall  
16 become permanent.

17  
18 III.

19 Respondent KIAN ASHKANIZADEH shall, within nine (9)  
20 months from the effective date of this Decision, present evidence  
21 satisfactory to the Real Estate Commissioner that Respondent has,  
22 since the most recent issuance of an original or renewal real  
23 estate license, taken and successfully completed the continuing  
24 education requirements of Article 2.5 of Chapter 3 of the Real  
25 Estate Law for renewal of a real estate license. If Respondent  
26 fails to satisfy this condition, the Commissioner may order the  
27

1 suspension of the restricted salesperson license until Respondent  
2 presents such evidence. The Commissioner shall afford Respondent  
3 the opportunity for a hearing pursuant to the Administrative  
4 Procedure Act to present such evidence.  
5

6 DATED: 11-7-11 EJL  
7 ELLIOTT MAC LENNAN, Counsel for  
8 Department of Real Estate

9 \* \* \*

10 EXECUTION OF THE STIPULATION

11 I have read the Stipulation. Its terms are understood  
12 by me and are agreeable and acceptable to me. I understand that  
13 I am waiving rights given to me by the California Administrative  
14 Procedure Act (including but not limited to Sections 11506,  
15 11508, 11509 and 11513 of the Government Code), and I willingly,  
16 intelligently and voluntarily waive those rights, including the  
17 right of requiring the Commissioner to prove the allegations in  
18 the Accusation at a hearing at which I would have the right to  
19 cross-examine witnesses against me and to present evidence in  
20 defense and mitigation of the charges.  
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MAILING AND FACSIMILE

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Respondent (1) shall mail the original signed signature page of the stipulation herein to Elliott Mac Lennan: Attention: Legal Section, Department of Real Estate, 320 W. Fourth St., Suite 350, Los Angeles, California 90013-1105. Respondent shall also (2) facsimile a copy of signed signature page, to the Department at the following telephone/fax number: (213) 576-6917, Attention: Elliott Mac Lennan.

A facsimile constitutes acceptance and approval of the terms and conditions of this stipulation. Respondent agrees, acknowledge and understand that by electronically sending to the Department a facsimile copy of Respondent's actual signature as it appears on the stipulation that receipt of the facsimile copy by the Department shall be as binding on Respondent as if the Department had received the original signed stipulation.

DATED: 11/7/11

  
KIAN ASHKANIZADEH, Respondent

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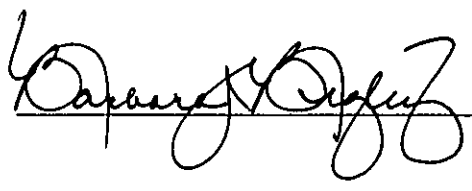
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The foregoing Stipulation and Agreement is hereby  
adopted as my Decision as to Respondent KIAN ASHKANIZADEH, and  
shall become effective at 12 o'clock noon on  
April 5 \_\_\_\_\_, 2012

IT IS SO ORDERED 2/28 \_\_\_\_\_, 2012

BARBARA J. BIGBY  
Acting Real Estate Commissioner



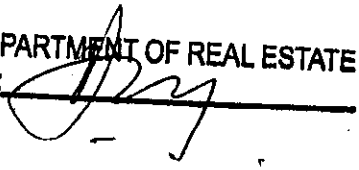
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ELLIOTT MACLENNAN, SBN 66674  
Department of Real Estate  
320 West 4th Street, Ste. 350  
Los Angeles, California 90013-1105

Telephone: (213) 576-6911 (direct)  
-or- (213) 576-6982 (office)

**FILED**

APR 26 2011

DEPARTMENT OF REAL ESTATE  
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of )  
 )  
NOURY CORPORATION doing business )  
as Pacific Mortgage Broker and )  
Pacific Realtys; and )  
HOOSHANG NOORI-ALAGHA, )  
individually and as designated )  
officer of Noury Corporation; and )  
KIAN ASHKANIZADEH, )  
 )  
Respondents. )

No. H-37031 LA

FIRST AMENDED  
ACCUSATION

The Accusation filed on January 25, 2011, is amended in its entirety as follows:

The Complainant, Robin Trujillo, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against NOURY CORPORATION and HOOSHANG NOORI-ALAGHA dba Pacific Mortgage Broker and Pacific Realtys, individually and as designated officer of Noury Corporation, and KIAN ASHKANIZADEH, alleges as follows:

///

1.

1 The Complainant, Robin Trujillo, acting in her official  
2 capacity as a Deputy Real Estate Commissioner of the State of  
3 California, makes this Accusation.  
4

2.

5 All references to the "Code" are to the California  
6 Business and Professions Code and all references to "Regulations"  
7 are to Title 10, Chapter 6, California Code of Regulations.  
8

3.

9  
10 License Status

11 A. NOURY CORPORATION ("NC"). At all times mentioned,  
12 Respondent NC was licensed or had license rights issued by the  
13 Department of Real Estate ("Department") as a real estate broker.  
14 On October 20, 2005, NC was originally licensed as a corporate  
15 real estate broker. Respondent NC was authorized to act by and  
16 through Respondent HOOSHANG NOORI-ALAGHA as NC's broker  
17 designated pursuant to Business and Professions Code (hereinafter  
18 "Code") Sections 10159.2 and 10211 to be responsible for ensuring  
19 compliance with the Real Estate Law.

20 B. HOOSHANG NOORI-ALAGHA. At all times mentioned,  
21 Respondent ("HOOSHANG NOORI-ALAGHA") was licensed or had license  
22 rights issued by the Department as a real estate broker. On May  
23 8, 2000, NOORI-ALAGHA was originally licensed as a real estate  
24 broker. On October 20, 2005, became the designated officer of  
25 NC.

26 ///

1 C. KIAN ASHKANIZADEH. At all times mentioned,  
2 Respondent ("KIAN") was licensed or had license rights issued by  
3 the Department as a restricted real estate salesperson. On June  
4 4, 2009, KIAN was originally licensed as a real estate  
5 salesperson. Between June 4, 2009 and November 7, 2010, KIAN was  
6 employed by NC. On November 7, 2010, KIAN became Non-Broker  
7 Affiliated.

8 On April 27, 2009, in Case No. H-3951 SD, pursuant to a  
9 Statement of Issues filed that resulted in a denial of KIAN's  
10 application for licensure with a right to a restricted  
11 salesperson license that was issued on June 4, 2009, as set forth  
12 in Paragraph 17 below.

13 D. NOURY CORPORATION is owned entirely by HOOSHANG  
14 NOORI-ALAGHA, its President and Treasurer.

15 Brokerage

16 4.

17 At all times mentioned, in the City of Laguna Hills,  
18 County of Orange, NC and NOORI-ALAGHA acted as real estate  
19 brokers conducting licensed activities within the meaning of:

20 A. Code Section 10131(a). Respondents' dba Pacific  
21 Realties engaged in the business of, acted in the capacity of,  
22 advertised or assumed to act as a real estate broker, including  
23 the solicitation for listings of and the negotiation of the sale  
24 of real property as the agent of others.

25 During the audit period, Respondents negotiated two (2)  
26 residential sales and purchases totaling \$2,335,000.  
27

1 B. Code Section 10131(d). Respondents dba Pacific  
2 Mortgage Broker engaged in activities with the public wherein  
3 lenders and borrowers were solicited for loans secured directly or  
4 collaterally by liens on real property, wherein such loans were  
5 arranged, negotiated, processed and consummated on behalf of  
6 others for compensation or in expectation of compensation and for  
7 fees often collected in advance.

8 During the audit period, Respondents closed  
9 approximately thirty (30) mortgage loans totaling \$665,000.

10 C. Code Section 10131(d) and 10131.2. Respondents  
11 advertised, solicited and offered to provide loss mitigation and  
12 loan modification services to economically distressed homeowners  
13 seeking adjustments to the terms and conditions of their home  
14 loans including, but not limited to, repayment plans, forbearance  
15 plans, partial claims, and reduction in principal or interest,  
16 extenuations, foreclosure prevention and short sales.

17 During the audit period, Respondents conducted and  
18 processed twelve (12) loan modifications charging an advance fee  
19 ranging from \$3,000 to \$4,000 per homeowner-borrower, for a total  
20 collection of advance fees of \$40,750.00.

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FIRST CAUSE OF ACCUSATION  
(Audit Examination)

5.

On June 25, 2009, the Department completed an audit examination of the books and records of NC pertaining to the mortgage loan brokerage, loan modification and advance fee activities only described in Paragraph 4, which require a real estate license. The audit examination covered a period of time beginning on May 1, 2006 to April 30, 2009. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully discussed in Audit Report LA 080242 and the exhibits and work papers attached to said audit report.

General and Trust Accounts

6.

At all times mentioned, in connection with the activities described in Paragraph 4, above, NC accepted or received funds including funds in trust (hereinafter "trust funds") from or on behalf of actual or prospective parties, including lenders, borrowers, homeowners for loan modifications handled by NC. Thereafter NC made deposits and or disbursements of such trust funds. From time to time herein mentioned during the audit period, said trust funds were deposited and/or maintained by NC in the bank accounts as follows:

"Noury Corporation dba Pacific Mortgage Broker  
and Pacific Realtys  
Account No. xxxxxx3081  
Comerica Bank

(T/A #1)

(Loan Modification trust account)

1 "Noury Corporation dba Pacific Mortgage Broker  
2 and Pacific Realtys  
3 Account No. xxxxxx7398  
Citizens Business Bank

(G/A #1)

4 (Credit Report fee general account)

5  
6 "Noury Corporation dba Pacific Realty (sic)  
7 Account No. XXXXX2415  
Comerica Bank

(G/A #2)

8  
9 (Loan Modification collection for advance fees and Credit Report  
fee general account)

10  
11 Audit Violations

12 7.

13 In the course of activities described in Paragraphs 4  
14 and 6, above, and during the examination period described in  
15 Paragraph 5, Respondents NC, NOORI-ALAGHA and KIAN, acted in  
16 violation of the Code and the Regulations in which Respondents:

17 (a) Prior to March 26, 2009, NC and NOORI-ALAGHA  
18 collected advance fees within the meaning of Code Section 10026  
19 from homeowners seeking loan modification services wherein NC did  
20 not have and thus failed to provide a pre-approved advance fee  
21 agreement from the Department, in violation of Code Section 10085  
22 and Regulation 2970, for the aforesaid homeowner/borrowers. The  
23 subsequent March 26, 2009, advance fee agreement on file with the  
24 Department and the advance fee agreement actually used by  
25 Respondents are not the same.

26 (b) With reference to the lack of an advance fee  
27 agreement prior to March 26, 2009, NC failed to provide a



1 complete description of services to be rendered provided to each  
2 prospective tenant in 10 point type font and failed to provide an  
3 allocation and disbursement of the amount collected as the  
4 advance fee, in violation of Code Section 10146 and Regulation  
5 2972.

6 (c) Mixed and commingled trust funds and personal funds  
7 by depositing credit report fees received from escrow into NC's  
8 non trust fund general operating accounts G/A #1 and G/A #2, and  
9 issuing checks from said account to the appraisers or credit  
10 companies after the escrow checks were deposited, in violation of  
11 Code Sections 10145 and 10176(e) and Regulation 2832.

12 (d) (1) Failed to retain a true and complete copy of a  
13 Department of Real Estate approved Mortgage Loan Disclosure  
14 Statement signed by the broker for borrowers Jamaledin,  
15 Gonthier, Bakhaheshi, Safapou, Tafti, Nikniai and Delly, in  
16 violation of Code Sections 10240 and 10236.4; and

17 (d) (2) Failed to retain a true and complete copy of a  
18 Department of Real Estate approved Good Faith Estimate signed by  
19 the broker for the aforesaid borrowers which included NC's  
20 corporate broker license, in violation of Code Sections 10240(c)  
21 and 10236.4 and Regulation 2840.

22 (e) (1) Employed and compensated KIAN, as a loan agent,  
23 and loan modification agent who Respondents knew was not licensed  
24 by the Department as a real estate broker or as a real estate  
25 salesperson employed by a real estate broker, for performing acts  
26 for which a real estate license is required, including soliciting  
27 mortgage loans and negotiating loan modification transactions,

1 including but not limited to the borrowers tabled below, in  
2 violation of Code Section 10137.

3  
4 Table: Unlicensed Employment/Compensation of KIAN ASHKANIZADEH

5

6 Homeowner- 7 Borrower	Date	Agent	Address
8			
9 Mohamad 10 Molai	10-28-08	KIAN	18350 Hateras St. #102 Tarzana, California
11 Theodore 12 Clarke	11-05-08	KIAN	8785 Early Horizon Las Vegas, Nevada
13 Shapour 14 Motamedi	11-20-08	KIAN	6919 Castle Peak Dr. West Hills, California

15  
16 (e) (2) KIAN was initially licensed as a restricted  
17 salesperson on June 4, 2009, and employed by NC between June 4,  
18 2009 and November 7, 2010. NC thus employed and compensated  
19 KIAN, as a loan agent and a loan modification agent during a time  
20 when KIAN was not nor had ever been licensed in any capacity with  
21 the Department, to wit between October 28, 2008 and November  
22 2008, with respect to the homeowner-borrowers tabled above. KIAN  
23 who Respondents knew was not licensed by the Department as a real  
24 estate broker or as a real estate salesperson employed by a real  
25 estate broker, for performing acts for which a real estate  
26 license is required, including soliciting mortgage loans and  
27 negotiating loan modification transactions, including but not

1 limited to the borrowers tabled below, in violation of Code  
2 Sections 10130 and 10137.

3 (f) Misrepresented to sellers that NC held earnest  
4 money deposits from buyers Adel/Jalai and Farsio/Amini, in  
5 violation of Code Section 10176(a).

6 Discipline Statutes

7 8.

8 The conduct of Respondents NC, NOORI-ALAGHA and KIAN,  
9 described in Paragraph 7, above, violated the Code and the  
10 Regulations as set forth below:

11	<u>PARAGRAPH</u>	<u>PROVISIONS VIOLATED</u>
12	7(a)	Code Section 10085 and Regulation
13		2970
14	7(b)	Code Section 10146 and Regulation
15		2972
16		
17	7(c)	Code Sections 10145 and 10176(e)
18		and Regulation 2832
19		
20		
21	7(d)	Code Sections 10240, 10240(c) and
22		10236.4 and Regulation 2840
23		
24	7(e) (1)	Code Section 10137

25  
26 ///

27 ///

1 7(e) (2)

Code Sections 10130 and 10137  
(NC, NOORI-ALAGHA and KIAN)

2  
3  
4 7(f)

Code Section 10176(a)

5 The foregoing violations constitutes cause for discipline of the  
6 real estate license and license rights of NC, and NOORI-ALAGHA  
7 and KIAN ASHKANIZADEH, as noted, as aforesaid, under the  
8 provisions of Code Sections 10176(a), 10176(e), 10177(d) and/or  
9 10177(g) for negligence.

10  
11 SECOND CAUSE OF ACCUSATION  
(Loan Modification Services)

12 9.

13 At all times mentioned herein, Respondents NC and  
14 NOORI-ALAGHA engaged in the business of a loan modification and  
15 advance fee brokerage requiring a real estate license to operate,  
16 within the definition of Code Sections 10131(d) and 10131.2.

17 General Allegations

18 10.

19 During 2008 and continuing thereafter to date, NC and  
20 NOORI-ALAGHA, dba Pacific Mortgage Broker solicited economically  
21 distressed homeowners facing foreclosure and eviction from their  
22 homes, offered loss mitigation and loan modification services,  
23 and charged and collected advance fees.

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1           Specific Allegations

2   11.

3           Using the name "Pacific Mortgage Broker" Respondents NC  
4 and NOORI-ALAGHA offered loss mitigation and loan modification  
5 services to homeowner-borrowers seeking downward adjustments or  
6 payment extenuations to their home mortgages. Respondents  
7 collected advanced fees from said homeowner-borrowers without  
8 possessing a pre-approved advance fee agreement from the  
9 Department. Selectively thereafter, Respondents obtained or  
10 failed to obtain the loan modification services to the borrowers  
11 tabled below:

12  
13   Table: Loan Modification Services

14

Homeowner	Date	Status	Advance Fee
Parivash Rahnamai	March 11, 2009	Not obtained	\$2,500
Zafar Mohsenzadeh	October 22, 2008	Not obtained	\$8,000
Jim Strol	February 14, 2009	Not obtained	\$4,000
Parvin Yonai	November 10, 2008	Not obtained	\$4,000

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21   Loan Modification Violations and Disciplinary Statutes

22   12.

23           The conduct of Respondents NC and NOORI-ALAGHA violated  
24 the Code and the Regulations as set forth below with respect to  
25 the tabled homeowner-borrowers:

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13.

13(a) Code Section 10176(a) for substantial misrepresentation.

13(b) Code Section 10176(b) for making false promises of a character likely to influence, persuade or induce the tabled homeowner-borrowers.

13(c) Code Section 10177(d) for violation of the Real Estate Law.

13(d) Code Section 10177(g) for negligence.

Negligence

14.

The overall conduct of Respondents NOURY CORPORATION, and HOOSHANG NOORI-ALAGHA constitutes negligence and is cause for the suspension or revocation of the real estate license and license rights of said Respondents pursuant to the provisions of Code Section 10177(g).

Fiduciary Duty

15.

The conduct, acts and omissions of Respondents NOURY CORPORATION, and HOOSHANG NOORI-ALAGHA constitute a breach of fiduciary duty, in violation of Code Sections 10176(i) and/or 10177(g).

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THIRD CAUSE OF ACTION  
(Supervision and Compliance)

16.

The overall conduct of Respondent HOOSHANG NOORI-ALAGHA constitutes a failure on said Respondent's part, as officer and former officer designated by a corporate broker licensee, to exercise the reasonable supervision and control over the licensed activities of NC as required by Code Section 10159.2 and Regulation 2725, and to keep NC in compliance with the Real Estate Law, with specific regard to trust fund and credit report fee handling, mortgage and loan brokering and unlicensed loan modification services, and is cause for discipline of the real estate license and license rights of all Respondents pursuant to the provisions of Code Sections 10177(d), 10177(g) and 10177(h).

PRIOR DEPARTMENTAL ACTION

17.

On April 27, 2009, in Case No. H-3951 SD, pursuant to a Statement of Issues filed that resulted in a denial of KIAN's application for licensure with a right to a restricted salesperson license pursuant to a Stipulation and Waiver effective on May 21, 2009, that was issued on June 4, 2009, as referenced in Paragraph 3.C., above, for violations of Code Sections 10177(b) and 490 of the Real Estate Law.

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WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against the license and license rights of Respondents NOURY CORPORATION, HOOSHANG NOORI-ALAGHA and KIAN ASHKANIZADEH, under the Real Estate Law (Part 1 of vision 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law including restitution of credit report fees and advanced fees paid for unearned loan modifications, and for costs of audit.

Dated at Los Angeles, California

this 26 day of April 2011.

  
Deputy Real Estate Commissioner

cc: Noury Corporation  
c/o Hooshang Noori-Alagha D.O.  
Kian Ashkanizadeh  
Robin Trujillo  
Sacto  
Audits - Gina King  
Audits - Gina King



1 ELLIOTT MACLENNAN, SBN 66674  
Department of Real Estate  
2 320 West 4th Street, Ste. 350  
Los Angeles, California 90013-1105

3 Telephone: (213) 576-6911 (direct)  
4 -or- (213) 576-6982 (office)  
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**FILED**

JAN 25 2011

DEPARTMENT OF REAL ESTATE  
BY: 

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of )  
12 NOURY CORPORATION doing business )  
as Pacific Mortgage Broker and )  
13 Pacific Realtys; and )  
HOOSHANG NOORI-ALAGHA, )  
14 individually and as designated )  
officer of Noury Corporation, )  
15 )  
16 )

No. H-37031 LA

A C C U S A T I O N

17 Respondents. )  
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18 The Complainant, Robin Trujillo, a Deputy Real Estate  
19 Commissioner of the State of California, for cause of Accusation  
20 against NOURY CORPORATION and HOOSHANG NOORI-ALAGHA dba Pacific  
21 Mortgage Broker and Pacific Realtys, individually and as  
22 designated officer of Noury Corporation, alleges as follows:

23 1.

24 The Complainant, Robin Trujillo, acting in her official  
25 capacity as a Deputy Real Estate Commissioner of the State of  
26 California, makes this Accusation.  
27

1 2.

2 All references to the "Code" are to the California  
3 Business and Professions Code and all references to "Regulations"  
4 are to Title 10, Chapter 6, California Code of Regulations.

5 3.

6 License History

7 A. NOURY CORPORATION ("NC"). At all times mentioned,  
8 Respondent NC was licensed or had license rights issued by the  
9 Department of Real Estate ("Department") as a real estate broker.  
10 On October 20, 2005, NC was originally licensed as a corporate  
11 real estate broker. Respondent NC was authorized to act by and  
12 through Respondent HOOSHANG NOORI-ALAGHA as NC's broker  
13 designated pursuant to Business and Professions Code (hereinafter  
14 "Code") Sections 10159.2 and 10211 to be responsible for ensuring  
15 compliance with the Real Estate Law.

16 B. HOOSHANG NOORI-ALAGHA. At all times mentioned,  
17 Respondent ("HOOSHANG NOORI-ALAGHA") was licensed or had license  
18 rights issued by the Department as a real estate broker. On May  
19 8, 2000, NOORI-ALAGHA was originally licensed as a real estate  
20 broker. On October 20, 2005, became the designated officer of  
21 NC.

22 C. NOURY CORPORATION is owned entirely by HOOSHANG  
23 NOORI-ALAGHA, its President and Treasurer.

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1 of such trust funds. From time to time herein mentioned during  
2 the audit period, said trust funds were deposited and/or  
3 maintained by NC in the bank accounts as follows:

4 "Noury Corporation dba Pacific Mortgage Broker  
5 and Pacific Realtys  
6 Account No. 1894033081  
Comerica Bank (T/A #1)  
7 (Loan Modification trust account)

8  
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10  
11 "Noury Corporation dba Pacific Mortgage Broker  
12 and Pacific Realtys  
Account No. 32017398  
13 Citizens Business Bank (G/A #1)  
14 (Credit Report fee general account)

15  
16 "Noury Corporation dba Pacific Realty (sic)  
17 Account No. 1894022415  
Comerica Bank (G/A #2)  
18 (Loan Modification collection for advance fees and Credit Report  
19 fee general account)

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1 companies after the escrow checks were deposited, in violation of  
2 Code Sections 10145 and 10176(e) and Regulation 2832.

3 (d)(1) Failed to retain a true and complete copy of a  
4 Department of Real Estate approved Mortgage Loan Disclosure  
5 Statement signed by the broker for borrowers Jamaledin,  
6 Gonthier, Bakhareshi, Safapou, Tafti, Nikniai and Delly, in  
7 violation of Code Sections 10240 and 10236.4; and

8 (d)(2) Failed to retain a true and complete copy of a  
9 Department of Real Estate approved Good Faith Estimate signed by  
10 the broker for the aforesaid borrowers which included NC's  
11 corporate broker license, in violation of Code Sections 10240(c)  
12 and 10236.4 and Regulation 2840.

13 (e) Employed and compensated Kian Ashkani, as a loss  
14 mitigation and loan modification agent who Respondents knew was  
15 not licensed by the Department as a real estate broker or as a  
16 real estate salesperson employed by a real estate broker, for  
17 performing acts for which a real estate license is required,  
18 including soliciting mortgage loans and negotiating loan  
19 modification transactions, including but not limited to, borrower  
20 Molai, in violation of Code Section 10137.

21 (f) Misrepresented to sellers that NC held earnest  
22 money deposits from buyers Adel/Jalai and Farsio/Amini, in  
23 violation of Code Section 10176(a).

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SECOND CAUSE OF ACCUSATION

(Loan Modification Services)

9.

At all times mentioned herein, Respondents NC and NOORI-ALAGHA engaged in the business of a loan modification and advance fee brokerage requiring a real estate license to operate, within the definition of Code Sections 10131(d) and 10131.2.

General Allegations

10.

During 2008 and continuing thereafter to date, NC and NOORI-ALAGHA, dba Pacific Mortgage Broker solicited economically distressed homeowners facing foreclosure and eviction from their homes, offered loss mitigation and loan modification services, and charged and collected advance fees.

Specific Allegations

11.

Using the name "Pacific Mortgage Broker" Respondents NC and NOORI-ALAGHA offered loss mitigation and loan modification services to homeowner-borrowers seeking downward adjustments or payment extenuations to their home mortgages. Respondents collected advanced fees from said homeowner-borrowers without possessing a pre-approved advance fee agreement from the Department. Selectively thereafter, Respondents obtained or failed to obtain the loan modification services to the borrowers tabled below:

///

Table: Loan Modification Services

Homeowner	Date	Status	Advance Fee
Parivash Rahnamai	March 11, 2009	Not obtained	\$2,500
Zafar Mohsenzadeh	October 22, 2008	Not obtained	\$8,000
Jim Strol	February 14, 2009	Not obtained	\$4,000
Parvin Yonai	November 10, 2008	Not obtained	\$4,000

Loan Modification Violations and Disciplinary Statutes

12.

The conduct of Respondents NC and NOORI-ALAGHA violated the Code and the Regulations as set forth below with respect to the tabled homeowner-borrowers:

13.

13(a) Code Section 10176(a) for substantial misrepresentation.

13(b) Code Section 10176(b) for making false promises of a character likely to influence, persuade or induce the tabled homeowner-borrowers.

13(c) Code Section 10177(d) for violation of the Real Estate Law.

13(d) Code Section 10177(g) for negligence.

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1                   WHEREFORE, Complainant prays that a hearing be  
2 conducted on the allegations of this Accusation and that upon  
3 proof thereof, a decision be rendered imposing disciplinary  
4 action against the license and license rights of Respondents  
5 NOURY CORPORATION, HOOSHANG NOORI-ALAGHA and SYLVIA DELAROSA,  
6 under the Real Estate Law (Part 1 of vision 4 of the Business and  
7 Professions Code) and for such other and further relief as may be  
8 proper under other applicable provisions of law including  
9 restitution of credit report fees and advanced fees paid for  
10 unearned loan modifications, and for costs of audit.

11 Dated at Los Angeles, California

12 this *7 day of January 2011.* *R. J. Trujillo*  
13 Deputy Real Estate Commissioner  
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23 cc: Noury Corporation  
24 c/o Hooshang Noori-Alagha D.O.  
25 Robin Trujillo  
26 Sacto  
Tiffany Williams  
Audits - Gina King  
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