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

FILED

FEB - 4 2009

DEPARTMENT OF REAL ESTATE
BY: _____

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

TO: DINORAH INC. doing business as the Financial Funding Network, Properties by Dinorah, and Foreclosure Help Center Inc.; DINORAH ANNETTE CARMENATE, individually and as designated officer of Dinorah Inc.; and FORECLOSURE HELP CENTER INC.	No. H- 35669 LA ORDER TO DESIST AND REFRAIN

The Real Estate Commissioner of the State of California has caused an investigation to be made of your activities as a real estate broker, and based on the findings of that investigation is of the opinion that you, DINORAH INC. dba Financial Funding Network, Properties by Dinorah, and Foreclosure Help Center Inc. aka Foreclosure Help Center, and you, DINORAH ANNETTE CARMENATE, have violated Sections 10085, 10145, 10146, 10159.5 and 10176(e) of the Business and Professions Code (hereinafter Code), as well as Regulations 2731, 2831.1, 2831.2,

2832(a), 2832.1, 2970 and 2972 (all references herein to Regulations refer to the California Code of Regulations, Title 10, Chapter 6).

And you, FORECLOSURE HELP CENTER INC. aka Foreclosure Help Center, have violated Section 10130 of the Business and Professions Code.

1.

A. At all times herein mentioned, you, DINORAH INC. and you DINORAH ANNETTE CARMENATE, were licensed by the Department of Real Estate of the State of California (hereinafter Department) as a real estate broker.

B. At no time mentioned were you, FORECLOSURE HELP CENTER INC., licensed by the Department as a real estate broker; and

C. Loan modification services were conducted by DINORAH INC. from the beginning of the audit period on July 1, 2007 to June 30, 2008. Thereafter, from May 19, 2008 through June 30, 2008, the end of the audit period loan modification services were conducted by FORECLOSURE HELP CENTER INC.

2.

At all times herein mentioned, you, DINORAH INC., you, DINORAH ANNETTE CARMENATE and you, FORECLOSURE HELP CENTER INC. on behalf of homeowners, for and in expectation of compensation and for fees often collected in advance, engaged in the business, acted in the capacity of, advertised or assumed to act as real estate brokers in the State of California within the meaning of

Code Sections 10131(d) and 10131.2, by providing loan modification, re-finance, foreclosure abatement, and short sale services to distressed homeowners.

3.

From July 2007 through June 2008, in connection with the aforesaid brokerage activities, you, accepted or received trust funds from borrowers and lenders and thereafter made disbursements of such funds.

4.

On September 17, 2008, the Department of Real Estate completed an audit examination of the books and records of DINORAH INC. including Foreclosure Help Center Inc. aka Foreclosure Help Center, pertaining to the loan modification service activities described in Paragraph 4, which require a real estate license. The audit examination covered a period of time beginning on July 1, 2007 to June 30, 2008. 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 070410 and the exhibits and work papers attached to said audit report.

5.

In connection with your activities as real estate brokers, as described above, you, DINORAH INC. and you, DINORAH ANNETTE CARMENATE, and you, FORECLOSURE HELP CENTER INC., in connection with your activities requiring a real estate license, acted in violation of the Real Estate Law as follows:

(a)(1) DINORAH INC. Permitted, allowed or caused the disbursement of trust funds from the escrow trust account where the disbursement of funds reduced the total of aggregate funds in Bank Account #1, to an amount which, on June 30, 2008, was $8,271.02, less than the existing aggregate trust fund liability of DINORAH INC. to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulation 2832.1.

(a)(2) FORECLOSURE HELP CENTER INC. Permitted, allowed or caused the disbursement of trust funds from FORECLOSURE HELP CENTER INC.'S trust account, Trust Account #1, where the disbursement of funds reduced the total of aggregate funds in Trust Account #1, to an amount which, on June 30, 2008, was $4,043.30, less than the existing aggregate trust fund liability of FORECLOSURE HELP CENTER INC. to every principal who was an owner of said funds, without first obtaining the prior written consent of the owners of said funds, as required by Code Section 10145 and Regulation 2832.1.

(b) Mixed and commingled trust funds and personal funds by depositing advance fees for loan modification services to be rendered for borrowers, including but not limited to, Juan Galvan, Ignacio/Fernando Ruiz, Raul Davila, Mario/Laura Lopes, Yolanda Garcia and Antonio Lopez, received via credit card payments, cash and check from said borrowers and deposited into

DINORAH INC.'s general operating account, Bank Account #1, instead of depositing said trust funds into a trust account, in violation of Code Sections 10145 and 10176(e) and Regulation 2832(a).

(c)(1) DINORAH INC. failed to maintain a separate record for each beneficiary or transaction, thereby failing to account for all advance fees collected from the borrowers June Galvan, Ignacio/Fernando Ruiz, Raul Davila, Mario/Laura Lopes, Yolanda Garcia ad Antonio Lopez, as required by Code Section 10145 and Regulation 2831.1.

(c)(2) FORECLOSURE HELP CENTER INC. failed to maintain a separate record for each beneficiary or transaction, thereby failing to account for all advance fees collected from the borrowers Cesar Ponce, Victor Lopez, Feliciano Mena, Jorge Partida, Jeronimo Merida and Carol Russell, as required by Code Section 10145 and Regulation 2831.1.

(d)(1) DINORAH INC. failed to perform a monthly reconciliation of the balance of all separate beneficiary or transaction records maintained pursuant to Regulation 2831.1 with the record of all trust funds received and disbursed by Bank Account #1, as required by Code Section 10145 and Regulation 2831.2.

(d)(2) FORECLOSURE HELP CENTER INC. failed to perform a monthly reconciliation of the balance of all separate beneficiary or transaction records maintained pursuant to

Regulation 2831.1 with the record of all trust funds received and disbursed by Trust Account #1 and Bank Account #2, as required by Code Section 10145 and Regulation 2831.2

(e) DINORAH INC. and FORECLOSURE HELP CENTER INC. collected advance fees within the meaning of Code Section 10026 from stressed homeowners seeking loan modification services yet failed to provide homeowners Juan Galvan, Ignacio/Fernando Ruiz, Raul Davila, Mario/Laura Lopes, Yolanda Garcia and Antonio Lopez a pre-approved advance fee agreement by the Department. The failure of DINORAH INC. to submit an advance fee agreement to the Department five days prior to its use is in violation of Code Section 10085 and Regulation 2970.

(f) DINORAH INC. and FORECLOSURE HELP CENTER INC. failed to establish and maintain a trust account at a bank or other recognized financial institution in the name of the broker for deposit of advance fees collected by DINORAH INC. and FORECLOSURE HELP CENTER INC., in violation of Code Section 10146.

(g) With reference to the lack of an advance fee agreement, DINORAH INC. and FORECLOSURE HELP CENTER INC., failed to provide a complete description of services to be rendered provided to each prospective tenant; 10 point type font; and, an allocation and disbursement of the amount collected as the advance fee, in violation of Code Section 10085 and Regulation 2972; and

(h) Used the fictitious name of "Foreclosure Help Center", to conduct licensed activities including loan modification services without holding a license bearing said fictitious business name, in violation of Code Section 10159.5 and Regulation 2731.

6.

Your acts, FORECLOSURE HELP CENTER INC., as described in Paragraph 4, above, are acts requiring a real estate license under the provisions of Code Sections 10130, 10131(d) and 10131.2.

7.

You, FORECLOSURE HELP CENTER INC. violated Code Sections 10130, 10131(d) and 10131.2 by acting in the capacity of a licensed real estate broker when you were not licensed as a real estate broker.

NOW, THEREFORE, YOU, FORECLOSURE HELP CENTER INC., ARE ORDERED TO DESIST AND REFRAIN from performing any and all activities for which a real estate broker license is required unless and until you are in compliance with Sections 10130, 10131(d) and 10131.2 of the California Business and Professions Code

AND, MOREOVER, YOU, FORECLOSURE HELP CENTER INC., ARE ORDERED TO DESIST AND REFRAIN from performing any and all activities for which a real estate broker license is required,

under any fictitious business name, unless and until you obtain a real estate broker license.

NOW, FURTHERMORE, YOU, DINORAH INC. and YOU, DINORAH ANNETTE CARMENATE, ARE ORDERED TO DESIST AND REFRAIN from performing any and all acts requiring a real estate license in California unless and until you are in compliance with Sections 10085, 10145, 10146 and 10159.5 of the California Business and Professions Code, and Sections 2731, 2831.1, 2831.2, 2832(a), 2832.1, 2970 and 2972 of Title 10, Chapter 6, of the California Code of Regulations.

AND FURTHERMORE, YOU, DINORAH INC. and YOU, DINORAH ANNETTE CARMENATE, and YOU, FORECLOSURE HELP CENTER, ARE ORDERED TO DESIST AND REFRAIN from collecting advance fees as that terms in defined in Code Section 10185, in any form particularly with respect to loan modification, loan re-finance, foreclosure abatement or short sale services, unless and until you provide evidence satisfactory to the Real Estate Commissioner and demonstrate that you have:

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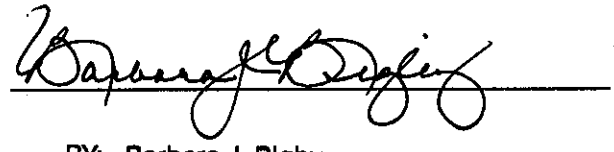
(1) a pre-approved advance fee agreement from the Department of Real Estate pursuant to Regulation 2970;

(2) placed all previously collected advance fees into a trust account for that purpose; and

(3) provided an accounting to trust fund owner-beneficiaries pursuant to Regulation 2972.

DATED: 1/30, 2009.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

cc: Dinorah Inc.
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Foreclosure Help Center Inc.
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