Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

Telephone: (213) 576-6982

FILED

SEP 15 2009

DEPARTMENT OF REAL ESTATE
BY: [signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

To: NIVI INC., and doing business as Loan Mods Plus; and VINCENT DOMINIC BINDI, individually, and as designated broker officer for NIVI Inc.	No. H-36240 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of NIVI INC. ("NIVI"), and doing business as Loan Mods Plus, and VINCENT DOMINIC BINDI ("BINDI"). Based on that investigation the Commissioner has determined that NIVI and BINDI have engaged in or are engaging in activities, including engaging in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with employment undertaken to promote the sale or lease of real property or to obtain a loan or

loans on real property, and including the performance of loan negotiation and loan modification services with respect to loans which are secured by liens on real property, all within the meaning of California Business and Professions Code ("Code") Section 10131.2. In connection with said activities, the Commissioner has determined that NIVI and BINDI have engaged in activities which constitute violations of the Code and Title 10, California Code of Regulations ("Regulations"). Based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

FINDINGS OF FACT

1. NIVI is presently licensed and/or has license rights under the Real Estate Law (Part I of Division 4 of the Code) as a real estate corporation.

2. BINDI is presently licensed and/or has license rights under the Real Estate Law as a real estate broker, and is the designated broker officer for NIVI.

3. Whenever acts referred to below are attributed to NIVI, those acts are alleged to have been done by NIVI, acting by itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to BINDI, and using the name Loan Mods Plus or any fictitious name unknown at this time.

4. NIVI and BINDI engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the

collection of an advance fee, as defined by Code Section 10026, including but not limited to the activities described in Paragraph 5, below.

5. On or about December 18, 2008, NIVI and BINDI, using the fictitious business name "Loan Mods Plus," entered into a written agreement with Heather Hernandez ("Hernandez") pertaining to loan negotiation and modification services to be provided by NIVI with respect to a loan secured by the real property located at 1740 Sunshine Drive, Concord, California 94520 in exchange for the payment of an advance fee. On or about December 31, 2008, Hernandez paid NIVI and BINDI an advance fee of $2,950.

6. NIVI and BINDI collected the advance fee described in Paragraph 5, above, pursuant to the provisions of a written agreement titled "Loan Modification Research & Analysis Agreement."

7. NIVI and BINDI failed to submit the advance fee agreement referred to in Paragraphs 5 and 6, above, to the Commissioner ten days before using it.

CONCLUSIONS OF LAW

8. Based on the information contained in Paragraphs 5 and 6, above, the written agreement constitutes an advance fee agreement within the meaning of Code Section 10085.

9. Based on the information contained in Paragraphs 5, 6 and 7, above, the failure by NIVI and BINDI to submit the advance fee agreement to the Commissioner ten days before using it constitutes a violation of Code Section 10085 and Section

2970 of the Regulations.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that NIVI INC. and VINCENT DOMINIC BINDI immediately desist and refrain from collecting advance fees, as that term in defined in Section 10026 of the Code, in any form and particularly with respect to loan modification, loan negotiation, loan refinance, principal reduction, foreclosure abatement or short sale services, unless and until NIVI INC. and VINCENT DOMINIC BINDI demonstrate and provide evidence satisfactory that they have done the following:

(i) submitted an advance fee agreement to the Commissioner in compliance with Code Section 10085 and Section 2970 of the Regulations; and

(ii) are in full compliance with all the requirements of the Code and Regulations relating to charging, collecting and accounting for advance fees.

DATED: 9-9, 2009.

JEFF DAVI
Real Estate Commissioner

cc: Nivi Inc.
23441 South Pointe Drive, Suite 190
Laguna Hills, California 92653

Vincent Dominic Bindi
23441 South Pointe Drive, Suite 190
Laguna Hills, California 92653