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FILED

DEC 13 2012

DEPARTMENT OF REAL ESTATE
BY: ca

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	DRE No. H-37523 LA
MAZAR CORP., MUKHTAR A. PEERZAY,)	OAH No. L-2012010587
as officer of Mazar Corp., and)	
<u>ABDUL KARIM KABIR,</u>)	
Respondents.)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On September 13, 2011, an Accusation was filed in this matter against Respondent ABDUL KARIM KABIR.

On September 5, 2012, Respondent ABDUL KARIM KABIR petitioned the Commissioner to voluntarily surrender his real estate salesperson license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent ABDUL KARIM KABIR's petition for voluntary surrender of his real estate salesperson license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in Respondent's Declaration dated

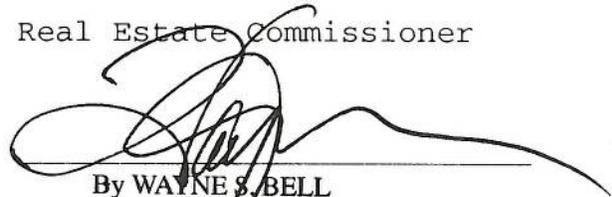
1 September 5, 2012 (attached as Exhibit "A" hereto).
2 Respondent's license certificate and pocket card shall be sent
3 to the below listed address so that they reach the Department
4 on or before the effective date of this Order:

5 Department of Real Estate
6 Attn: Licensing Flag Section
7 P.O. Box 187000
8 Sacramento, CA 95818-7000

9 This Order shall become effective at 12 o'clock noon
10 on January 2, 2013.

11 DATED: 11/14/2012

12 Real Estate Commissioner

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15 By WAYNE S. BELL
16 Chief Counsel

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	DRE No. H-37523 LA
MAZIR CORP., MUKHTAR A. PEERZAY,)	OAH No. L-2012010587
as officer of Mazar Corp., and)	
<u>ABDUL KARIM KABIR,</u>)	
Respondents.)	

DECLARATION

My name is ABDUL KARIM KABIR, and I am currently licensed as a real estate salesperson and/or have license rights with respect to said license. I am represented by Frank M. Buda, Esq. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), I wish to voluntarily surrender my real estate license, issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

1 I understand that by so voluntarily surrendering my
2 license, I may be relicensed as a broker or as a salesperson, or
3 issued a mortgage loan originator endorsement, only by
4 petitioning for reinstatement pursuant to Section 11522 of the
5 Government Code. I also understand that by so voluntarily
6 surrendering my real estate salesperson license, I agree to the
7 following:

8 1. The filing of this Declaration shall be deemed as
9 my petition for voluntary surrender.

10 2. It shall also be deemed to be an understanding and
11 agreement by me that I waive all rights I have to require the
12 Commissioner to prove the allegations contained in the Accusation
13 filed in this matter at a hearing held in accordance with the
14 provisions of the Administrative Procedure Act (Government Code
15 Sections 11400 et seq.), and that I also waive other rights
16 afforded to me in connection with the hearing such as the right
17 to discovery, the right to present evidence in defense of the
18 allegations in the Accusation and the right to cross-examine
19 witnesses.

20 3. I further agree that upon acceptance by the
21 Commissioner, as evidenced by an appropriate order, all
22 affidavits and all relevant evidence obtained by the Department
23 in this matter prior to the Commissioner's acceptance, and all
24 allegations contained in the Accusation filed in the Department
25 Case No. H-37523 LA, may be considered by the Department to be
26 true and correct for the purpose of deciding whether to grant
27

1 relicensure or reinstatement pursuant to Government Code Section
2 11522.

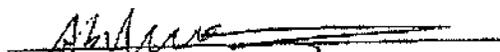
3 4. I freely and voluntarily surrender all my licenses
4 and license rights under the Real Estate Law.

5 5. A copy of the Commissioner's Criteria of
6 Rehabilitation is attached hereto. If and when a petition
7 application is made for reinstatement of a surrendered license or
8 endorsement, the Real Estate Commissioner will consider as one of
9 the criteria of rehabilitation, whether or not restitution has
10 been made to Ana Hernandez, Arnulfo Solares, Ofelia Hernandez,
11 Maria Maldonado and any person who has suffered monetary losses
12 through "substantially related" acts or omissions of Respondent,
13 whether or not such persons are named in the investigation file
14 in this case.

15 6. Respondent shall mail the restitution payments by
16 certified mail, return receipt requested, to the victims' last
17 address on file with or known to Respondent. If any of the
18 payments are returned by the Post Office marked "unable to
19 deliver," Respondent shall employ a locator service (that may be
20 limited to or include or be limited to the Internet or other
21 database retrieval search) to try and locate said persons. If
22 unable to effect repayment after using a locator service,
23 Respondent shall provide reasonable proof satisfactory to the
24 Commissioner of his efforts to comply with the provisions of this
25 paragraph. If the Commissioner determines that proof to be
26 unsatisfactory, the Commissioner shall so advise Respondent, and
27 indicate what additional reasonable efforts should be made to

1 make repayment to the victims. All proofs of payment shall be
2 submitted to the Department of Real Estate along with any
3 petition for reinstatement, if and when, Respondent files a
4 petition application for reinstatement of a surrendered license
5 or endorsement.

6 I declare under penalty of perjury under the laws of
7 the State of California that the above is true and correct and
8 that this declaration was executed Sp. 05, 2012,
9 at UPLAND, California.

10 
11 ABDUL KARIM KABIR

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FILED

FEB -8 2012

DEPARTMENT OF REAL ESTATE
BY: C.A.

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	
MAZAR CORP., MUKHTAR A. PEERZAY,)	NO. H-37523 LA
<u>as officer of Mazar Corp., and</u>)	
ABDUL KARIM KABIR,)	
Respondents.)	
_____)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on January 23, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On September 9, 2011, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondents MAZAR CORP. and MUKHTAR A. PEERZAY's last known mailing address on file with the Department on September 13, 2011. A second attempt at service was made on October 21, 2011, by regular mail.

On January 23, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the

Government Code, Respondents MAZAR CORP. and MUKHTAR A. PEERZAY's defaults were entered herein.

2.

At all times herein mentioned, Respondents were licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code).

3.

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

4.

From August 3, 2007, through August 2, 2011, MAZAR CORP. ("Respondent MAZAR") was licensed (License No. 01820165) as a real estate corporation. From August 3, 2007, through August 2, 2011, Respondent MAZAR was acting by and through Respondent MUKHTAR A. PEERZAY ("PEERZAY") as its officer pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law.

5.

From August 3, 2007, through August 2, 2011, Respondent PEERZAY was licensed (License No. 01440380) as an officer for Respondent MAZAR.

6.

On February 1, 2010, the California Franchise Tax Board suspended the corporate powers, rights and privileges of Respondent MAZAR pursuant to the provisions of the California Revenue and Taxation Code. MAZAR's corporate status remains suspended.

7.

The suspension of Respondent MAZAR's corporate status is in violation of Regulation 2742, subdivision (c) and constitutes grounds to suspend or revoke Respondent MAZAR's corporate real estate broker license pursuant to Code Section 10177(d).

8.

The conduct, acts and/or omissions of Respondent PEERZAY as set forth in Paragraph 7, above, in failing to adequately supervise the activities of Respondent MAZAR to ensure compliance with the Real Estate Law, is in violation of Code Section 10159.2 and constitutes grounds to discipline the license and/or license rights of Respondent PEERZAY pursuant to Code Section 10177(h).

DETERMINATION OF ISSUES

1.

Cause for disciplinary action against Respondent MAZAR CORP. exists pursuant to Business and Professions Code Section 10177(d).

2.

Cause for disciplinary action against Respondent MUKHTAR A. PEERZAY exists pursuant to Business and Professions Code Section 10177(h).

3.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The licenses and license rights of Respondents MAZAR CORP. and MUKHTAR A. PEERZAY under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon February 28, 2012.

DATED: 1/31, 2012.

BARBARA J. BIGBY
Acting Real Estate Commissioner



1 Department of Real Estate
320 West Fourth Street, Suite 350
2 Los Angeles, California 90013-1105

FILED
JAN 23 2012
DEPARTMENT OF REAL ESTATE

By C.2

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8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * *

11 In the Matter of the Accusation of)
12 MAZAR CORP., MUKHTAR A. PEERZAY,)
13 as officer of Mazar Corp., and)
14 ABDUL KARIM KABIR,)
15 Respondents.)

NO. H-37523 LA

DEFAULT ORDER

16 Respondents, MAZAR CORP. and MUKHTAR A. PEERZAY, having
17 failed to file a Notice of Defense within the time required by
18 Section 11506 of the Government Code, are now in default. It is,
19 therefore, ordered that a default be entered on the record in
20 this matter.

21 IT IS SO ORDERED

January 23, 2012

22 BARBARA J. BIGBY
23 Acting Real Estate Commissioner

24 Dolores Weeks

25 By: DOLORES WEEKS
26 Regional Manager
27

1 LISSETE GARCIA, Counsel (SBN 211552)
2 Department of Real Estate
3 320 West 4th Street, Suite 350
4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6982
6 (Direct) (213) 576-6914

FILED
SEP 13 2011
DEPARTMENT OF REAL ESTATE
By CR

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) NO. H-37523 LA
12)
13 MAZAR CORP., MUKHTAR A. PEERZAY,) A C C U S A T I O N
14 as officer of Mazar Corp., and)
15 ABDUL KARIM KABIR,)
16 Respondents.)

17 The Complainant, Robin Trujillo, a Deputy Real Estate
18 Commissioner of the State of California, for cause of Accusation
19 against MAZAR CORP., MUKHTAR A. PEERZAY, as officer of Mazar
20 Corp., and ABDUL KARIM KABIR (collectively "Respondents") is
21 informed and alleges as follows:

22 1.

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

26 ///
27 ///
28 ///

1 2.

2 At all times herein mentioned, Respondents were
3 licensed and/or have license rights under the Real Estate Law
4 (Part 1 of Division 4 of the California Business and Professions
5 Code).

6 3.

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

11 4.

12 From August 3, 2007, through August 2, 2011, MAZAR
13 CORP. ("Respondent MAZAR") was licensed (License No. 01820165)
14 as a real estate corporation. From August 3, 2007, through
15 August 2, 2011, Respondent MAZAR was acting by and through
16 Respondent MUKHTAR A. PEERZAY ("PEERZAY") as its officer
17 pursuant to Code Section 10159.2 to be responsible for ensuring
18 compliance with the Real Estate Law.

19 5.

20 From August 3, 2007, through August 2, 2011,
21 Respondent PEERZAY was licensed (License No. 01440380) as an
22 officer for Respondent MAZAR.
23

24 6.

25 From May 5, 2005, through the present, Respondent
26 ABDUL KARIM KABIR ("KABIR") has been licensed (License No.
27 01484613) as a real estate salesperson. From November 15, 2008,
28 through July 12, 2011, Respondent KABIR was licensed under the

1 employ of Respondent MAZAR.

2
3 FIRST CAUSE OF ACCUSATION

4 (SUSPENDED CORPORATE STATUS - Respondent MAZAR)

5 (FAILURE TO SUPERVISE - Respondent PEERZAY)

6 7.

7 On February 1, 2010, the California Franchise Tax
8 Board suspended the corporate powers, rights and privileges of
9 Respondent MAZAR pursuant to the provisions of the California
10 Revenue and Taxation Code. MAZAR's corporate status remains
11 suspended.

12 8.

13 The suspension of Respondent MAZAR's corporate status
14 is in violation of Regulation 2742, subdivision (c) and
15 constitutes grounds to suspend or revoke Respondent MAZAR's
16 corporate real estate broker license pursuant to Code Sections
17 10177(d) and/or 10177(g).

18 9.

19 The conduct, acts and/or omissions of Respondent
20 PEERZAY as set forth in Paragraph 8, above, in failing to
21 adequately supervise the activities of Respondent MAZAR to
22 ensure compliance with the Real Estate Law, is in violation of
23 Section 10159.2 of the Code and constitutes grounds to
24 discipline the license and/or license rights of Respondent
25 PEERZAY pursuant to Code Sections 10177(h), 10177(d) and/or
26 10177(g).
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SECOND CAUSE OF ACCUSATION

ADVANCE FEE VIOLATIONS/UNLICENSED ACTIVITY
(Respondent KABIR)

10.

There is hereby incorporated in this Second, separate Cause of Accusation, all of the allegations contained in Paragraphs 1 through 9 above, with the same force and effect as if herein fully set forth.

11.

Allstate Home Solutions, Inc. is not now, and has never been, licensed by the Department in any capacity. Respondent KABIR is the owner and director of Allstate Home Solutions, Inc.

12.

For an unknown period of time beginning no later than October 28, 2008, and continuing to the present, KABIR, while using the fictitious business name Allstate Home Solutions, Inc., or other fictitious business names not known at this time, engaged in the business of, 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. Their activities included soliciting borrowers or lenders for and/or negotiating loans, collecting payments and/or performing services for borrowers or lenders in connection with loans secured by liens on real property. Their activities also included claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee within the

1 meaning of Code Sections 10026, 10085, 10085.5 and 10085.6.

2 13.

3 On or around October 28, 2008, ABDUL KARIM KABIR,
4 doing business as Allstate Home Solutions, Inc., solicited loan
5 modification and negotiation services in connection with a loan
6 secured by liens on real property to Ana Hernandez. On October
7 28, 2008, Ana Hernandez paid \$2,495 in advance fees to Allstate
8 Home Solutions, Inc. for loan negotiation and modification
9 services. Ana Hernandez did not obtain a loan modification
10 through Allstate Home Solutions, Inc.

11 14.

12 On or around March 27, 2009, ABDUL KARIM KABIR, doing
13 business as Allstate Home Solutions, Inc., solicited loan
14 modification and negotiation services in connection with a loan
15 secured by liens on real property to Arnulfo Solares. Between
16 March 27, 2009, and September 14, 2009, Arnulfo Solares paid
17 \$2,495 in advance fees to Allstate Home Solutions, Inc. for loan
18 negotiation and modification services. Arnulfo Solares did not
19 obtain a loan modification through Allstate Home Solutions, Inc.

20 15.

21 On or around August 25, 2009, ABDUL KARIM KABIR, doing
22 business as Allstate Home Solutions, Inc., solicited loan
23 modification and negotiation services in connection with a loan
24 secured by liens on real property to Ofelia Hernandez. Between
25 August 25, 2009, and November 17, 2009, Ofelia Hernandez paid
26 \$4,000 in advance fees to Allstate Home Solutions, Inc. for loan
27 negotiation and modification services. Ofelia Hernandez did not
28 obtain a loan modification through Allstate Home Solutions, Inc.

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 all licenses and/or license rights of Respondents
5 MAZAR CORP., MUKHTAR A. PEERZAY, as officer of Mazar Corp., and
6 ABDUL KARIM KABIR under the Real Estate Law (Part 1 of Division
7 4 of the Business and Professions Code) and for such other and
8 further relief as may be proper under other applicable
9 provisions of law.

10 Dated at Los Angeles, California

11 this 9 day of September, 2011.
12

13 
14 _____
15 ROBIN TRUJILLO
16 Deputy Real Estate Commissioner
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22

23 cc: Mazar Corp.
24 Mukhtar A. Peerzay
25 Abdul Karim Kabir
26 Dolores Garces Lew
27 Robin Trujillo
28 Sacto.