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FILED
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DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To: ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR.	No. H-37575 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the Department of Real Estate ("Department") of the State of California caused an investigation to be made of the activities of ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR. Based on that investigation the Commissioner has determined that ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR have engaged in, are engaging in acts or attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Sections 10131(d) (advertising, soliciting borrowers for, and offering to negotiate loans or perform loan modification services for borrowers in connection with loans secured by liens on real property) and 10131.2 (collecting advance fees in connection with those services).

In addition, based on that investigation, the Commissioner has determined that ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR have engaged in or are

engaging in acts or are attempting to engage practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). Based on the findings of that investigation, set forth below, 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. ALLSTATE HOME SOLUTIONS, INC. is not now and has never been licensed by the Department in any capacity.

2. From May 5, 2005, through the present, ABDUL KARIM KABIR has been licensed by the Department as a real estate salesperson. From November 15, 2008, through July 12, 2011, ABDUL KARIM KABIR was licensed under the employ of broker Mazar Corp.

3. At all times mentioned herein, in the State of California, ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR 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 meaning of Code Sections 10026, 10085, 10085.5 and 10085.6.

4. On or around October 28, 2008, ABDUL KARIM KABIR, doing business as ALLSTATE HOME SOLUTIONS, INC., solicited loan modification and negotiation services in connection with a loan secured by liens on real property to Ana H. On October 28, 2008, Ana H. paid $2,495 in advance fees to ALLSTATE HOME SOLUTIONS, INC. for loan negotiation and modification services. Ana H. did not obtain a loan modification through ALLSTATE HOME SOLUTIONS, INC.

5. On or around March 27, 2009, ABDUL KARIM KABIR, doing business as ALLSTATE HOME SOLUTIONS, INC., solicited loan modification and negotiation services in connection with a loan secured by liens on real property to Arnulfo S.

6. Between March 27, 2009, and September 14, 2009, Arnulfo S. paid $2,495 in advance fees to ALLSTATE HOME SOLUTIONS, INC. for loan negotiation and modification services. Arnulfo S. did not obtain a loan modification through ALLSTATE HOME SOLUTIONS, INC.

7. As set forth above, ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR solicited and entered into loan negotiation or modification agreements with borrowers when they were not licensed by the Department as real estate brokers or acting under the employments of a licensed broker.

CONCLUSIONS OF LAW

Based on the information contained in Paragraphs 1 through 7, above, ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Department or acting as a salesperson under the employment of a licensed real estate broker.

DESIST AND REFRAIN ORDER

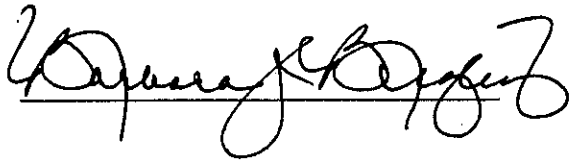
Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT ALLSTATE HOME SOLUTIONS, INC. and ABDUL KARIM KABIR, whether doing business under his own name or any other fictitious business name, immediately desist and refrain from: performing any acts within the State of California for which a real estate broker license is required, including:

(i) soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, and

(ii) charging, demanding, or collecting a fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Commissioner's Regulations relating to charging, collecting, and accounting for fees.

DATED: 9/28, 2011.

BARBARA J. BIGBY
Acting Real Estate Commissioner



Notice: Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000)."

cc: Allstate Home Solutions, Inc. and Abdul Karim Kabir
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