

Joey

FILED

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2 Department of Real Estate
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4 Los Angeles, California 90013-1105
5 Telephone: (213) 576-6911 (direct)
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NOV 29 2011

DEPARTMENT OF REAL ESTATE
BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

11	In the Matter of the Accusation of)	No. H-37170 LA
12	GUARDIAN ENTREPRISES INC. doing)	
13	business as Guardian Real Estate,)	
14	Guardian Capital, and Guardian Realty;)	<u>FIRST AMENDED</u>
15	and ALI KALANTARI DARIAN, individually)	<u>ACCUSATION</u>
16	and as designated officer of)	
17	Guardian Enterprises Inc.,)	
)	
16	Respondents.)	

18 The Accusation filed on March 24, 2011, is amended in
19 its entirety as follows:

20 The Complainant, Joey Aiu, a Deputy Real Estate
21 Commissioner of the State of California, for cause of Accusation
22 against GUARDIAN ENTREPRISES INC. dba Guardian Real Estate,
23 Guardian Capital, and Guardian Realty, and ALI KALANTARI DARIAN,
24 individually and as designated officer of Guardian Enterprises
25 Inc., alleges as follows:

26 ///
27

1. 1.

2 The Complainant, Joey Aiu, acting in his official
3 capacity as a Deputy Real Estate Commissioner of the State of
4 California, makes this Accusation.

2.

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

9 License History

3.

11 A. At all times mentioned, GUARDIAN ENTREPRISES INC.
12 (GEI) was licensed or had license rights issued by the Department
13 of Real Estate (Department) as a corporate real estate broker by
14 and through real estate broker ALI KALANTARI DARIAN (DARIAN).
15 GEI was originally licensed on February 4, 1998. DARIAN was
16 originally licensed as a real estate broker on April 19, 1994.

17 B. At all times material herein, GEI was licensed by
18 the Department as a corporate real estate broker by and through
19 DARIAN, as designated officer and broker responsible, pursuant to
20 Code Sections 10211 and 10159.2 of the Business and Professions
21 Code for supervising the activities requiring a real estate
22 license conducted on behalf said corporation's officers, agents
23 and employees, including DARIAN who has been the designated
24 officer of GEI since its inception.

25 C. GEI is owned by DARIAN, who is also GEI's
26 president, corporate secretary and treasurer.
27

1 D. Cesar Izquierdo is not now and never has been
2 licensed by the Department as a salesperson or a broker.

3 Brokerage

4 4.

5 At all times mentioned, in the Norco, County of
6 Riverside, Respondents GEI and DARIAN engaged in the business of
7 real estate brokers conducting licensed activities within the
8 meaning of:

9 A. 10131(a). Respondents GEI and DARIAN, dba Guardian
10 Real Estate and Guardian Realty, engaged in the business of,
11 acted in the capacity of, advertised or assumed to act as a real
12 estate broker, including the solicitation for listings of and the
13 negotiation of the sale of real property as the agent of others.

14 B. Code Sections 10131(d) and 10131.2. Respondent GEI
15 and DARIAN engaged in operating a mortgage loan, advanced fee and
16 loan modification service brokerage dba Guardian Capital. For
17 compensation or in expectation of compensation and for fees often
18 collected in advance.

19 Respondents GEI and DARIAN advertised, solicited and
20 offered to provide loan modification services to economically
21 distressed homeowners seeking adjustments to the terms and
22 conditions of their home loans including, but not limited to,
23 repayment plans, forbearance plans, partial claims, reduction in
24 principal or interest, loss mitigation, foreclosure prevention
25 and short sales.

26 ///

1 FIRST CAUSE OF ACCUSATION

2 (Audit Examination)

3 5.

4 On March 9, 2010, the Department completed an audit
5 examination of the books and records of GEI pertaining to the
6 mortgage loan brokerage including advance fee and loan
7 modifications activities described in Paragraph 4, which require
8 a real estate license. The audit examination covered a period of
9 time beginning on December 1, 2006 to November 30, 2009. The
10 audit examination revealed violations of the Code and the
11 Regulations as set forth in the following paragraphs, and more
12 fully discussed in Audit Report SD 090036 and the exhibits and
13 work papers attached to said audit report.

14 Bank and Trust Accounts

15 6.

16 At all times mentioned, in connection with the
17 activities described in Paragraph 4, above, GEI accepted or
18 received funds including funds in trust (hereinafter "trust
19 funds") from or on behalf of actual or prospective parties to
20 mortgage loan transactions, including economically distressed
21 homeowner-borrowers for advance fees and loan modifications
22 handled by GEI. Thereafter GEI made deposits and or
23 disbursements of such trust funds. From time to time herein
24 mentioned during the audit period, said trust funds were
25 deposited and/or maintained by GEI in the bank account herein set
26 forth as GEI did not maintain a trust account during the audit
27 period:

1 "Guardian Enterprises
2 Account No. xxxxxxxx7545
3 US Bank
4 Saint Paul, Minnesota

5 (B/A #1 - This bank account is GEI's general operating account
6 used for its own purposes into which were deposited trust funds
7 in the form of credit report fees and appraisal fees collected at
8 the close of escrow).

9 Audit Violations

10 7.

11 In the course of activities described in Paragraphs 4
12 and 6, above, and during the examination period described in
13 Paragraph 5, Respondents GEI and DARIAN, acted in violation of
14 the Code and the Regulations in that Respondents:

15 (a) Failed to maintain an and accurate and complete
16 control record in chronological order for each beneficiary or
17 transaction, thereby failing to account for all credit report
18 fees and appraisal fees collected at the close of escrow, in
19 violation of Code Section 10145 and Regulation 2831;

20 (b) Failed to maintain a separate record for each
21 beneficiary or transaction, thereby failing to account for all
22 credit report fees and appraisal fees collected at the close of
23 escrow, in violation of Code Section 10145 and Regulation 2831.1;

24 (c) Failed to perform a monthly reconciliation of the
25 balance of all separate beneficiary or transaction records
26 maintained pursuant to Regulation 2831.1 with the record of all
27 trust funds received and disbursed by the bank account that

1 contain trust funds, in violation of Code Section 10145 and
2 Regulation 2831.2;

3 (d) Mixed and commingled trust funds and personal funds
4 by depositing trust funds in the form of credit report fees and
5 appraisal fees collected at the close of escrow into GEI's
6 general operating account, B/A #1, in violation of Code Sections
7 10145 and 10176(e) and Regulation 2832;

8 (e) Collected advance fees within the meaning of Code
9 Section 10026 from homeowners seeking loan modification services
10 wherein GEI failed to provide homeowner-borrowers Liana Thao,
11 Lovelynda Tria, Laura/Jason Noble, Deborah/Allan, Henry Patino
12 and Melissa/Casey Jones, a pre-approved advance fee agreement
13 from the Department in the form of a no objection letter, in
14 violation of Code Section 10085 and Regulation 2970;

15 (f) With reference to the lack of an advance fee
16 agreement, failed to provide a complete description of services
17 to be rendered provided to each homeowner-borrower in 10 point
18 type font and, an allocation and disbursement of the amount
19 collected as the advance fee for each loan modification, in
20 violation of Code Section 10146 and Regulation 2972;

21 (g) (1) Failed to retain a true and correct copy of a
22 Department of Real Estate approved Mortgage Loan Disclosure
23 Statement signed by the broker for borrowers, in violation of
24 Code Section 10240(a) and (c) and Regulation 2840; and

25 (g) (2) Failed to provide and/or maintain a statement in
26 writing containing all the information required by Code Section
27

1 10241(c) to borrowers, before the borrowers became obligated to
2 perform under the terms of their respective loans, in violation
3 of Code Section 10240. Additionally, the Good Faith Estimate
4 failed to state in a clear and conspicuous manner that it did not
5 constitute a loan commitment, in violation of Code Section 10240
6 and Regulation 2840;

7 (h) Failed to retain the salesperson license
8 certificates for Sterling S. Shah and Jafar Farhoomand, in
9 violation of Code Section 10160 and Regulation 2753;

10 (i) After notice and subpoena on January 3, 2010,
11 failed to retain all records of GEI's activity during the audit
12 period requiring a real estate broker license, in violation of
13 Code Section 10148; and

14 (j) DARIAN failed to exercise adequate supervision over
15 GEI's activities requiring a real estate license to ensure
16 compliance the Real Estate Laws and Regulations and had no system
17 in place for regularly monitoring GEI's compliance with the Real
18 Estate Law; in violation of Code Sections 10159.2, 10177(h) and
19 Regulation 2725.
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Discipline Statutes

8.

The conduct of Respondents GEI and DARIAN described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

PARAGRAPH

PROVISIONS VIOLATED

7(a)

Code Section 10145 and Regulation 2831

7(b)

Code Section 10145 and Regulation 2831.1

7(c)

Code Section 10145 and Regulation 2831.2

7(d)

Code Sections 10145 and 10176(e) and Regulation 2832

7(e)

Code Section 10085 and Regulation 2970

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7(f)

Code Section 10146 and Regulation
2972

7(g)

Code Sections 10240 and 10240(c)
and Regulation 2840

7(h)

Code Section 10160 and Regulation
2953

7(i)

Code Section 10148

7(j)

Code Sections 10159.5 and 10177(h)
and Regulation 2725 (DARIAN)

The foregoing violations constitutes cause for discipline of the
real estate license and license rights of GEI and DARIAN, as
aforesaid, under the provisions of Code Sections 10176(e),
10177(d) and/or 10177(g) for negligence.

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SECOND CAUSE OF ACCUSATION

(Loan Modification Services)

9.

At all times mentioned herein, Respondents GEI and DARIAN engaged in the business of a loan modification and advance fee brokerage dba Guardian Capital Enterprises Inc., within the definition of Code Sections 10131(d) and 10131.2.

General Allegations

10.

During 2008 and continuing thereafter to date, GEI and DARIAN dba Guardian Capital Enterprises Inc. and Guardian Capital solicited economically distressed homeowners facing foreclosure and eviction from their homes, offered loan modification serviced, and charged and collected advance fees.

Specific Allegations

11.

Using the names "Guardian Capital Enterprises Inc." and "Guardian Capital" Respondents GEI and DARIAN 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:

1 14.

2 The overall conduct of Respondents GEI and DARIAN
3 constitutes negligence. This conduct and violation is cause for
4 discipline of the real estate license and license rights of said
5 Respondents pursuant to the provisions of Code Section 10177(g).

6 15.

7 The overall conduct of Respondents GEI and DARIAN
8 constitutes a breach of fiduciary duty. This conduct and
9 violation is cause for discipline of the real estate license and
10 license rights of said Respondents pursuant to the provisions of
11 Code Section 10177(g).

12 16.

13 The overall conduct of Respondent DARIAN constitutes a
14 failure on Respondent's part, as officer designated by a
15 corporate broker licensee, to exercise the reasonable supervision
16 and control over the licensed activities of GEI, as required by
17 Code Sections 10159.2 and 10211, and to keep GEI in compliance
18 with the Real Estate Law, with specific regard to loan
19 modifications services and advance fee handling, requiring a real
20 estate license and is cause for discipline of the real estate
21 license and license rights of Respondent DARIAN pursuant to the
22 provisions of Code Sections 10177(h), 10177(d) and 10177(g).

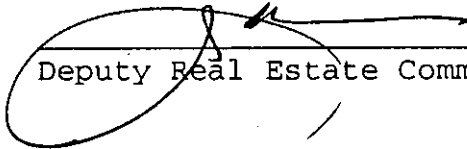
23 17.

24 Respondents' activities constitute a course of conduct
25 which includes homeowner-borrower Mirabelle Sabio alleged above
26 by way of example, but is by no means limited to that named
27 consumer and her real property or mortgage loan.

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 GUARDIAN ENTREPRISES INC. and ALI KALANTARI DARIAN, under the
6 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 to Mirabelle Sabio and costs of audit.

10 Dated at Los Angeles, California

11 this *M. Sabio* 11/2, 2011


Deputy Real Estate Commissioner

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24 cc: Guardian Enterprises Inc.
25 c/o Ali Kalantari Darian D.O.
26 Joey Aiu
27 Sacto
Audits - Isabel Beltran

FILED

MAR 24 2011

DEPARTMENT OF REAL ESTATE
BY: [Signature]

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8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)	No. H-37170 LA
)	
12 GUARDIAN ENTERPRISES INC. doing)	<u>A C C U S A T I O N</u>
13 business as Guardian Real Estate,)	
14 Guardian Capital, and Guardian Realty;)	
15 and DARIAN ALI KALANTARI, individually)	
16 and as designated officer of)	
17 Guardian Enterprises Inc.,)	
)	
)	
18 Respondents.)	

18 The Complainant, Joey Aiu, a Deputy Real Estate
19 Commissioner of the State of California, for cause of Accusation
20 against GUARDIAN ENTERPRISES INC. dba Guardian Real Estate,
21 Guardian Capital, and Guardian Realty, and DARIAN ALI KALANTARI,
22 individually and as designated officer of Guardian Enterprises
23 Inc., alleges as follows:

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1 1.

2 The Complainant, Joey Aiu, acting in his official
3 capacity as a Deputy Real Estate Commissioner of the State of
4 California, makes this Accusation.

5 2.

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

9 License History

10 3.

11 A. At all times mentioned, GUARDIAN ENTERPRISES INC.
12 (GEI) was licensed or had license rights issued by the Department
13 of Real Estate (Department) as a corporate real estate broker by
14 and through real estate broker DARIAN ALI KALANTARI (KALANTARI).
15 GEI was originally licensed on February 4, 1998. KALANTARI was
16 originally licensed as a real estate broker on April 19, 1994.

17 B. At all times material herein, GEI was licensed by
18 the Department as a corporate real estate broker by and through
19 KALANTARI, as designated officer and broker responsible, pursuant
20 to Code Sections 10211 and 10159.2 of the Business and
21 Professions Code for supervising the activities requiring a real
22 estate license conducted on behalf said corporation's officers,
23 agents and employees, including KALANTARI who has been the
24 designated officer of GEI since its inception.

25 C. GEI is owned by KALANTARI, who is also GEI's
26 president, corporate secretary and treasurer.
27

1 D. Cesar Izquierdo is not now and never has been
2 licensed by the Department as a salesperson or a broker.

3 Brokerage

4 4.

5 At all times mentioned, in the Norco, County of
6 Riverside, GEI and KALANTARI engaged in the business of real
7 estate brokers conducting licensed activities within the meaning
8 of:

9 A. 10131(a). Respondents GEI, dba Guardian Real
10 Estate and Guardian Realty, engaged in the business of, acted in
11 the capacity of, advertised or assumed to act as a real estate
12 broker, including the solicitation for listings of and the
13 negotiation of the sale of real property as the agent of others.

14 B. Code Sections 10131(d) and 10131.2. Respondent
15 GEI's engaged in operating a mortgage loan, advanced fee and loan
16 modification service brokerage dba Guardian Capital. For
17 compensation or in expectation of compensation and for fees often
18 collected in advance.

19 Respondents advertised, solicited and offered to
20 provide loan modification services to economically distressed
21 homeowners seeking adjustments to the terms and conditions of
22 their home loans including, but not limited to, repayment plans,
23 forbearance plans, partial claims, reduction in principal or
24 interest, loss mitigation, foreclosure prevention and short
25 sales.

26 ///

1 FIRST CAUSE OF ACCUSATION

2 (Audit Examination)

3 5.

4 On March 9, 2010, the Department completed an audit
5 examination of the books and records of GEI pertaining to the
6 mortgage loan brokerage including advance fee and loan
7 modifications activities described in Paragraph 4, which require
8 a real estate license. The audit examination covered a period of
9 time beginning on December 1, 2006 to November 30, 2009. The
10 audit examination revealed violations of the Code and the
11 Regulations as set forth in the following paragraphs, and more
12 fully discussed in Audit Report SD 090036 and the exhibits and
13 work papers attached to said audit report.

14 Bank and Trust Accounts

15 6.

16 At all times mentioned, in connection with the
17 activities described in Paragraph 4, above, GEI accepted or
18 received funds including funds in trust (hereinafter "trust
19 funds") from or on behalf of actual or prospective parties to
20 mortgage loan transactions, including economically distressed
21 homeowner-borrowers for advance fees and loan modifications
22 handled by GEI. Thereafter GEI made deposits and or
23 disbursements of such trust funds. From time to time herein
24 mentioned during the audit period, said trust funds were
25 deposited and/or maintained by GEI in the bank account herein set
26 forth as GEI did not maintain a trust account during the audit
27 period:

1 "Guardian Enterprises
Account No. xxxxxxxx7545
2 US Bank
3 Saint Paul, Minnesota

4 (B/A #1 - This bank account is GEI's general operating account
5 used for its own purposes into which were deposited trust funds
6 in the form of credit report fees and appraisal fees collected at
7 the close of escrow).

8
9 Audit Violations

10 7.

11 In the course of activities described in Paragraphs 4
12 and 6, above, and during the examination period described in
13 Paragraph 5, Respondents GEI and KALANTARI, acted in violation of
14 the Code and the Regulations in that Respondents:

15 (a) Failed to maintain an and accurate and complete
16 control record in chronological order for each beneficiary or
17 transaction, thereby failing to account for all credit report
18 fees and appraisal fees collected at the close of escrow, in
19 violation of Code Section 10145 and Regulation 2831;

20 (b) Failed to maintain a separate record for each
21 beneficiary or transaction, thereby failing to account for all
22 credit report fees and appraisal fees collected at the close of
23 escrow, in violation of Code Section 10145 and Regulation 2831.1;

24 (c) Failed to perform a monthly reconciliation of the
25 balance of all separate beneficiary or transaction records
26 maintained pursuant to Regulation 2831.1 with the record of all
27 trust funds received and disbursed by the bank account that

1 contain trust funds, in violation of Code Section 10145 and
2 Regulation 2831.2;

3 (d) Mixed and commingled trust funds and personal funds
4 by depositing trust funds in the form of credit report fees and
5 appraisal fees collected at the close of escrow into GEI's
6 general operating account, B/A #1, in violation of Code Sections
7 10145 and 10176(e) and Regulation 2832;

8 (e) Collected advance fees within the meaning of Code
9 Section 10026 from homeowners seeking loan modification services
10 wherein GEI failed to provide homeowner-borrowers Liana Thao,
11 Lovelynda Tria, Laura/Jason Noble, Deborah/Allan, Henry Patino
12 and Melissa/Casey Jones, a pre-approved advance fee agreement
13 from the Department in the form of a no objection letter, in
14 violation of Code Section 10085 and Regulation 2970;

15 (f) With reference to the lack of an advance fee
16 agreement, failed to provide a complete description of services
17 to be rendered provided to each homeowner-borrower in 10 point
18 type font and, an allocation and disbursement of the amount
19 collected as the advance fee for each loan modification, in
20 violation of Code Section 10146 and Regulation 2972;

21 (g) (1) Failed to retain a true and correct copy of a
22 Department of Real Estate approved Mortgage Loan Disclosure
23 Statement signed by the broker for borrowers, in violation of
24 Code Section 10240(a) and (c) and Regulation 2840; and

25 (g) (2) Failed to provide and/or maintain a statement in
26 writing containing all the information required by Code Section
27

1 10241(c) to borrowers, before the borrowers became obligated to
2 perform under the terms of their respective loans, in violation
3 of Code Section 10240. Additionally, the Good Faith Estimate
4 failed to state in a clear and conspicuous manner that it did not
5 constitute a loan commitment, in violation of Code Section 10240
6 and Regulation 2840;

7 (h) Failed to retain the salesperson license
8 certificates for Sterling S. Shah and Jafar Farhoomand, in
9 violation of Code Section 10160 and Regulation 2753;

10 (i) After notice and subpoena on January 3, 2010,
11 failed to retain all records of GEI's activity during the audit
12 period requiring a real estate broker license, in violation of
13 Code Section 10148; and

14 (j) KALANTARI failed to exercise adequate supervision
15 over GEI's activities requiring a real estate license to ensure
16 compliance the Real Estate Laws and Regulations and had no system
17 in place for regularly monitoring GEI's compliance with the Real
18 Estate Law, in violation of Code Sections 10159.2, 10177(h) and
19 Regulation 2725.
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Discipline Statutes

8.

The conduct of Respondents GEI and KALANTARI described in Paragraph 7, above, violated the Code and the Regulations as set forth below:

PARAGRAPH

PROVISIONS VIOLATED

7(a)

Code Section 10145 and Regulation 2831

7(b)

Code Section 10145 and Regulation 2831.1

7(c)

Code Section 10145 and Regulation 2831.2

7(d)

Code Sections 10145 and 10176(e) and Regulation 2832

7(e)

Code Section 10085 and Regulation 2970

1 7(f) Code Section 10146 and Regulation
2 2972

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5 7(g) Code Sections 10240 and 10240(c)
6 and Regulation 2840

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9 7(h) Code Section 10160 and Regulation
10 2953

11
12
13 7(i) Code Section 10148

14
15
16 7(j) Code Sections 10159.5 and 10177(h)
17 and Regulation 2725 (KALANTARI)

18
19 The foregoing violations constitutes cause for discipline of the
20 real estate license and license rights of GEI and KALANTRI, as
21 aforesaid, under the provisions of Code Sections 10176(e),
22 10177(d) and/or 10177(g) for negligence.

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SECOND CAUSE OF ACCUSATION

(Loan Modification Services)

9.

At all times mentioned herein, Respondents GEI and DARIAN engaged in the business of a loan modification and advance fee brokerage dba Guardian Capital Enterprises Inc., within the definition of Code Sections 10131(d) and 10131.2.

General Allegations

10.

During 2008 and continuing thereafter to date, GEI and, KALANTARI dba Guardian Capital Enterprises Inc. and Guardian Capital solicited economically distressed homeowners facing foreclosure and eviction from their homes, offered loan modification serviced, and charged and collected advance fees.

Specific Allegations

11.

Using the names "Guardian Capital Enterprises Inc." and "Guardian Capital" Respondents GEI and KALANTARI 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
Mirabelle Sabio	October 13, 2009	Not obtained	\$2,300

Loan Modification Violations and Disciplinary Statutes

12.

The conduct of Respondents GEI and KALANTARI through the instrumentality of unlicensed loss mitigation agent Cesar Izquierdo, violated the Code and the Regulations as set forth below with respect to the tabled homeowner-borrower Mirabelle Sabio:

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.

13(e) Code Sections 10177(g) for negligence.

13(f) Code Sections 10137 employment of unlicensed agent Cesar Izquierdo.

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14.

The overall conduct of Respondents GEI and KALANTARI constitutes negligence. This conduct and violation is cause for discipline of the real estate license and license rights of said Respondents pursuant to the provisions of Code Section 10177(g).

15.

The overall conduct of Respondents GEI and KALANTARI constitutes a breach of fiduciary duty. This conduct and violation is cause for discipline of the real estate license and license rights of said Respondents pursuant to the provisions of Code Section 10177(g).

16.

The overall conduct of Respondent KALANTARI constitutes a failure on Respondent's part, as officer designated by a corporate broker licensee, to exercise the reasonable supervision and control over the licensed activities of GEI, as required by Code Sections 10159.2 and 10211, and to keep GEI in compliance with the Real Estate Law, with specific regard to loan modifications services and advance fee handling, requiring a real estate license and is cause for discipline of the real estate license and license rights of GEI and KALANTARI pursuant to the provisions of Code Sections 10177(h), 10177(d) and 10177(g).

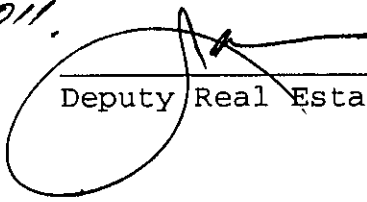
17.

Respondents' activities constitute a course of conduct which includes homeowner-borrower Mirabelle Sabio alleged above by way of example, but is by no means limited to that named consumer and her real property or mortgage loan.

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 GUARDIAN ENTERPRISES INC. and DARIAN ALI KALANTARI, under the
6 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 to Mirabelle Sabio and costs of audit.

10 Dated at Los Angeles, California

11 this *9 February 2011.*



Deputy Real Estate Commissioner

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24 cc: Guardian Enterprises Inc.
25 c/o Darian Ali Kalantari D.O.
26 Joey Aiu
27 Sacto
Audits - Isabel Beltran