

**FILED**

SEP 28 2011

1 Department of Real Estate  
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3 Los Angeles, California 90013-1105

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DEPARTMENT OF REAL ESTATE  
BY: *Guadalupe Hernandez*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \*

11 To:	)	No. H-37556 LA
12 NIGHTSTAR CONSULTING,	)	
13 US FORECLOSURE RELIEF	)	
14 ORGANIZATION and ALI	)	<u>ORDER TO DESIST</u>
MANESH	)	<u>AND REFRAIN</u>
	)	
	)	(B&P Code Section 10086)

16 The Commissioner ("Commissioner") of the California Department of Real Estate  
17 ("Department") caused an investigation to be made of the activities of NIGHTSTAR  
18 CONSULTING ("NIGHTSTAR"), US FORECLOSURE RELIEF ORGANIZATION  
19 ("USFRO") and ALI MANESH ("MANESH"). Based on that investigation the Commissioner  
20 has determined that NIGHTSTAR, USFRO and MANESH have engaged in, or are engaging in,  
21 acts, or are attempting to engage in the business of, acting in the capacity of, and/or advertising  
22 or assuming to act as real estate brokers in the State of California within the meaning of  
23 Business and Professions Code Sections 10131(d) (negotiating loans, or collecting payments, or  
24 performing services for borrowers in connection with loans secured by real property) and  
25 10131.2 (advance fee handling).

26 In addition, based on that investigation, the Commissioner has determined that

1 NIGHTSTAR, USFRO and MANESH have engaged in, or are engaging in, acts, or is attempting  
2 to engage in practices constituting violations of the California Business and Professions Code  
3 (“Code”) and/or Title 10, California Code of Regulations (“Regulations”). Based on the findings  
4 of that investigation, set forth below, the Commissioner hereby issues the following Findings of  
5 Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of  
6 the Code.

7 FINDINGS OF FACT

8 1. NIGHTSTAR, USFRO and MANESH are not now, nor have they ever  
9 been, licensed by the Department in any capacity.

10 2. At the times set forth below NIGHTSTAR, USFRO and MANESH  
11 negotiated to do one or more of the following acts for another or others, for or in expectation of  
12 compensation: engaged in the business of, acted in the capacity of, or advertised a loan  
13 modification and negotiation service and advance fee brokerage with respect to loans which were  
14 secured by liens on real property for compensation or in expectation of compensation and for  
15 fees collected in advance of the transaction.

16 Keith J. Transaction

17 3. In or about July 15, 2008, Keith J. entered into an agreement in which  
18 USFRO would negotiate a modification of Keith J.’s home mortgage loan in exchange for  
19 payment of an advance fee. Also on July 15, 2008, Keith J. submitted \$5985 to NIGHTSTAR as  
20 advance fees for a loan modification. After Keith J. entered into this advance fee agreement,  
21 MANESH informed Keith J. that MANESH would negotiate the loan modification with Keith  
22 J.’s lender.

23 CONCLUSIONS OF LAW

24 4. Based on the information contained in Paragraphs 1 through 3 above,  
25 NIGHTSTAR, USFRO and MANESH violated Code Section 10130 by engaging in activities  
26 requiring a broker license without first obtaining a broker license from the Department.

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cc: NIGHTSTAR CONSULTING  
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US FORECLOSURE RELIEF ORGANIZATION  
ALI MANESH  
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