

**FILED**

JUN 20 2012

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

BY: CR

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In the Matter of the Accusation of )  
 ) NO. H-37934 LA  
 STALLION LENDING, INC., )  
 BRABUS FINANCIAL CORPORATION, )  
 IRFAN NAZIR, individually and )  
 as designated broker-officer of )  
 Stallion Lending, Inc. and )  
 KEVIN CHRISTOPHER VALLE, )  
 individually and as former )  
 designated broker-officer of )  
 Brabus Financial Corporation, )  
 )  
 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 May 15, 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 February 27, 2012, Maria Suarez 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 STALLION LENDING, INC. and BRABUS FINANCIAL CORPORATION's last known mailing addresses on file with the Department on March 2, 2012.

On May 15, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents STALLION LENDING, INC. and BRABUS FINANCIAL CORPORATION's defaults were entered herein.

2.

From January 23, 2008, through the present, Respondent STALLION LENDING, INC. ("STALLION") has been licensed as a real estate corporation. Respondent STALLION's license expired on January 22, 2012. Respondent STALLION has renewal rights pursuant to Business and Professions Code ("Code") Section 10201. The Department retains jurisdiction pursuant to Code Section 10103.

3.

From May 5, 2003, through May 4, 2011, Respondent BRABUS FINANCIAL CORPORATION ("BRABUS") was licensed by the Department of Real Estate ("Department") as a real estate corporation. Respondent BRABUS' license expired on May 4, 2011. BRABUS has renewal rights under Code Section 10201. The Department retains jurisdiction pursuant Code Section 10103.

4.

At all times herein mentioned, in the State of California, Respondents STALLION and BRABUS (collectively "Respondents"), while using their own names or other fictitious business names, engaged in the business of a real estate broker conducting activities requiring a real estate license within the meaning of Code Section 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in connection with loans secured by liens on real property).

5.

On or about March 30, 2009, Respondents charged and collected an advance fee of \$1,500 from Hector and Maria Feria for performing services including, without limitation, loan modification and negotiation services in connection with a loan secured by real property. Respondents failed to perform the loan modification and negotiation services that had been promised to the Ferias. Respondents used advance fee materials and an agreement which were not submitted to the Department for review prior to use, in violation of Code Sections 10085 and

10085.5 and Regulation Section 2970, Title 10, Chapter 6, California Code of Regulations ("Regulations").

6.

On or about May 11, 2009, Respondents charged and collected an advance fee of \$2,500 from Jesus Ponce for performing services including, without limitation, loan modification and negotiation services in connection with a loan secured by real property. Respondents failed to perform the loan modification and negotiation services that had been promised to Jesus Ponce. Respondents used advance fee materials and an agreement which were not submitted to the Department for review prior to use, in violation of Code Sections 10085, 10085.5 and 10085.6 and Regulation Section 2970.

7.

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

#### Audits

8.

#### BRABUS

On September 15, 2010, the Department completed an audit examination of the books and records of Respondent BRABUS pertaining to its real estate activities that require a real estate license. The audit examination covered a period of time beginning on July 1, 2007 to May 26, 2009. The audit examination revealed violations of the Code and the Regulations as set forth in the following paragraphs, and more fully discussed in Audit Reports LA090278 and LA100010 and the exhibits and work papers attached to said Audit Reports.

#### Violations

9.

In the course of activities described in Paragraph 4, above, and during the examination period described in

(b) While doing business as unlicensed entity "PMRI", engaged in the business of real estate and offered to perform or performed services for borrowers including, but not necessarily limited to, forensic loan audits and loan negotiation or modification, in connection with loans secured by liens on real property, in violation of Code Section 10130.

#### DETERMINATION OF ISSUES

1.

The conduct, acts and/or omissions of Respondents STALLION and BRABUS, as set forth in Paragraphs 4 through 6, above, was in violation of Code Sections 10085.5 and 10085.6 and Regulation 2970, and constitutes grounds for the suspension or revocation of the licenses and license rights of Respondents STALLION and BRABUS pursuant to Code Section 10177(d).

2.

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

3.

The conduct of Respondent BRABUS described in Paragraph 9, above, violated the Code and the Regulations as set forth below:

PARAGRAPH	PROVISIONS VIOLATED
9(a)	Code Section <u>10240</u> and Regulation <u>2840</u>
9(b)	Code Section <u>10130</u>

4.

The foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of Respondent BRABUS under the provisions of Code Section 10177(d) for violation of the Real Estate Law and 10177(g) for negligence.

5.

The conduct of Respondent STALLION described in Paragraph 10, above, violated the Code and the Regulations as set forth below:

PARAGRAPH	PROVISIONS VIOLATED
10(a)	Code Section <u>10145</u> and Regulation <u>2832</u>
10(b)	Code Section <u>10130</u>

6.

The foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of Respondent STALLION under the provisions of Code Section 10177(d) for violation of the Real Estate Law and 10177(g) for negligence.

7.

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

ORDER

The licenses and license rights of Respondents STALLION LENDING, INC. and BRABUS FINANCIAL CORPORATION under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

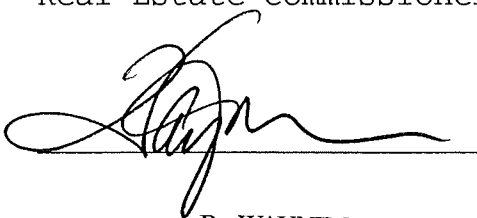
This Decision shall become effective at 12 o'clock noon July 10, 2012.

DATED:

May 28,

, 2012.

Real Estate Commissioner



By WAYNE S. BELL  
Chief Counsel

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

**FILED**

MAY 15 2012

DEPARTMENT OF REAL ESTATE  
BY: ca

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

\* \* \* \*

In the Matter of the Accusation of )	
STALLION LENDING, INC., )	NO. H-37934 LA
BRABUS FINANCIAL CORPORATION, )	<u>DEFAULT ORDER</u>
IRFAN NAZIR, individually and as )	
designated broker-officer of )	
Stallion Lending, Inc. and )	
KEVIN CHRISTOPHER VALLE, )	
individually and as former )	
designated broker-officer of )	
Brabus Financial Corporation, )	
Respondents. )	

Respondents, STALLION LENDING, INC. and BRABUS  
FINANCIAL CORPORATION, having failed to file a Notice of Defense  
within the time required by Section 11506 of the Government Code,  
are now in default. It is, therefore, ordered that a default be  
entered on the record in this matter as to STALLION LENDING, INC.  
and BRABUS FINANCIAL CORPORATION.

IT IS SO ORDERED May 15, 2012

Real Estate Commissioner

Dolores Weeks  
By: DOLORES WEEKS  
Regional Manager