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**FILED**

FEB 23 2015

BUREAU OF REAL ESTATE

BY *[Signature]*

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Accusation of

12 PAUL HOMAYOUN, individually and as designated  
13 officer of Iconic Realty Group, Inc.;  
14 KEVIN DANIALIFAR; and  
15 ICONIC REALTY GROUP, INC.,

16 Respondents.

) No. H-39750 LA

) ACCUSATION

17 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State  
18 of California, for cause of Accusation against PAUL HOMAYOUN, individually and as  
19 designated officer of Iconic Realty Group, Inc.; KEVIN DANIALIFAR; and ICONIC REALTY  
20 GROUP, INC alleges as follows:

21 1.

22 The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State  
23 of California, makes this Accusation in her official capacity.

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26  
27 CALBRE ACCUSATION – PAUL HOMAYOUN ET AL.

2.

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.

LICENSE HISTORY

3.

A. PAUL HOMAYOUN

1. Respondent PAUL HOMAYOUN (hereinafter "HOMAYOUN"), a.k.a. Pedram Homayoun, is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a real estate broker, license ID 01827661. Respondent HOMAYOUN was originally licensed as a real estate salesperson by the Bureau (then "Department") on or about December 11, 2007, and licensed as a real estate broker since March 26, 2008.

2. Respondent HOMAYOUN is currently the designated officer of Iconic Realty Group, Inc., with an expiration date of February 1, 2016.

3. Respondent HOMAYOUN was the designated officer of Iconic Capital Group Inc. until May 20, 2012.

4. Respondent HOMAYOUN has no current DBAs listed under his license.

5. Respondent HOMAYOUN does not have a Mortgage Loan Originator ("MLO") license endorsement.

B. KEVIN DANIALIFAR

1. Respondent KEVIN DANIALIFAR (hereinafter "DANIALIFAR") is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Code) as a real estate salesperson, license ID 01904911. Respondent DANIALIFAR was originally licensed as a real estate salesperson by the Bureau (then "Department") on or about September 22, 2011.



1 participated in activities requiring a real estate license pursuant to Business and Professions Code  
2 Sections 10131, including, but not limited to conduct within the meaning of the following acts  
3 for another or others:

4 A. Code Section 10131(a): Sells or offers to sell, buys or offers to buy, solicits  
5 prospective sellers or purchasers of, solicits or obtains listings of, or negotiates the purchase, sale  
6 or exchange of real property or a business opportunity.

7 B. Code Section 10131(d): Solicits borrowers or lenders for or negotiates loans or  
8 collects payments or performs services for borrowers or lenders or note owners in connection  
9 with loans secured directly or collaterally by liens on real property or on a business opportunity.

10 C. Code Section 10131(e): Sells or offers to sell, buys or offers to buy, or  
11 exchanges or offers to exchange a real property sales contract, or a promissory note secured  
12 directly or collaterally by a lien on real property or on a business opportunity, and performs  
13 services for the holders thereof.

14 FACTS DISCOVERED BY THE BUREAU

15 5.

16 A. SERVICE AGREEMENT

17 On or about February 8, 2013, the Bureau received an anonymous BRE Form RE  
18 519 "Licensee/Subdivider Complaint" ("Complaint") from the public, dated January 15, 2013,  
19 wherein the consumer ("Consumer") indicated that: (1) upon making contact with Respondent  
20 IRG to inquire about one of its listings, that Consumer was told by a representative of IRG that in  
21 order for the bank to accept Consumer's offer, Consumer must use IRG's preferred real estate  
22 brokerage, even if Consumer was already being represented by Consumer's own agent and  
23 (2) IRG promote[d] its lending and loan modification services. Consumer enclosed with the  
24 Complaint a copy of a Service Agreement provided by IRG. The Service Agreement bears a  
25 2011 date and lists ICG's address at 15165 Ventura Blvd., #105, Sherman Oaks, CA 91403. The  
26

1 Service Agreement also lists Iconic Capital Group Inc as the mortgage “Servicers” and identifies  
2 at paragraph 3 that “fees for services” are for loan modification services.

3 B. ONLINE ADVERTISING

4 On April 3, 2013, the Bureau captured Respondent IRG’s Facebook profile, which  
5 identified IRG as “Financial Services,” “Real Estate Investment,” and “Real Estate Agent,” and  
6 provided a link to Respondent DANIALIFAR’s website, <http://kingofshortsalespecialist.com>.

7 This website indicated in no less than seven of its pages that Respondent DANIALIFAR  
8 specializes in short sales and that he is “your Los Angeles Short Sale Specialist Realtor and Los  
9 Angeles loan modification and distressed property expert.” Respondent DANIALIFAR  
10 disclosed on the website that he is a “Real Estate agent at Iconic Realty Group 01904911,  
11 covering the greater Los Angeles area.” Respondent DANIALIFAR did not disclose on his  
12 website any unique identifier assigned by the Nationwide Mortgage Licensing System and  
13 Registry (“NMLS ID”) under which the loans would be made or arranged.

14 On May 21, 2014, the Bureau captured pages from Respondent IRG’s website,  
15 <http://iconicrealtygroup.com>, which stated that “Iconic Realty Group can handle all of your Short  
16 Sale needs, from start to finish. Our team of experts will work closely with you to make sure  
17 every situation is well catered to and handled. We can stop foreclosures, extend sales dates and  
18 our expertise in the field is second to none,” and touted, “We’ve been working in the real estate  
19 industry with Short Sales, Foreclosures and Bank Owned properties. We’ve negotiated with  
20 many Banks and Savings & Loans.” Respondent IRG disclosed on the website its BRE license  
21 number 01910008, but did not disclose any NMLS ID under which the loans would be made or  
22 arranged.

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1 (b) IRG failed to disclose on its website <http://iconicrealitygroup.com>  
2 any NMLS ID under which loans would be made or arranged, a violation of Code Section  
3 10235.5;

4 (c) IRG used the fictitious business name "Iconic Capital Group Inc." without  
5 first obtaining from the Bureau a license bearing said fictitious business name, in violation of  
6 Code Section 10159.5 and Regulation 2731;

7 (d) DANIALIFAR solicited borrowers for the purpose of making, arranging,  
8 and/or servicing loans and acted pursuant to Code Sections 10131(d) and 10131(e) without first  
9 notifying the Bureau in writing of such activities by January 31, 2010 or within 30 days of the  
10 commencement of such activities, a violation of Code Section 10166.02(a);

11 (e) IRG solicited borrowers for the purpose of making, arranging, and/or servicing  
12 loans and acted pursuant to Code Sections 10131(d) and 10131(e) without first notifying the  
13 Bureau in writing of such activities by January 31, 2010 or within 30 days of the commencement  
14 of such activities, a violation of Code Section 10166.02(a);

15 (e) DANIALIFAR solicited borrowers for the purpose of making, arranging,  
16 and/or servicing loans and acted pursuant to Code Sections 10131(d) and 10131(e) without first  
17 obtaining and maintaining real estate license endorsement identifying that he is a licensed MLO,  
18 a violation of Code Section 10166.02(b); and

19 (f) IRG solicited borrowers for the purpose of making, arranging, and/or servicing  
20 loans and acted pursuant to Code Sections 10131(d) and 10131(e) without first obtaining and  
21 maintaining real estate license endorsement identifying that it is a licensed MLO, a violation of  
22 Code Section 10166.02(b).

1 The foregoing violations constitute cause for discipline of the real estate licenses  
2 and license rights of Respondents PAUL HOMAYOUN, individually and as designated officer  
3 of Iconic Realty Group, Inc.; KEVIN DANIALIFAR; and ICONIC REALTY GROUP, under the  
4 provisions of Code Sections 10176(a) for substantial misrepresentation; 10176(b) for false  
5 promises to influence; 10176(c) for false promises through real estate salespersons; 10177(c) for  
6 false advertising; 10177(d) for willful disregard of the Real Estate Law; and 10177(g) for  
7 negligence.  
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9 ADDITIONAL CAUSE FOR DISCIPLINE - HOMAYOUN

10 (Failure to Supervise)

11 7.

12 The overall conduct of Respondent HOMAYOUN constitutes a failure on said  
13 Respondent's part, as officer designated by a corporate broker licensee, to exercise the  
14 reasonable supervision and control over the licensed activities of IRG and DANIALIFAR as  
15 required by and in violation of Code Section 10159.2 and Regulation 2725, and to keep IRG  
16 in compliance with the Real Estate Law, and is cause for discipline of the real estate license and  
17 license rights of said Respondent pursuant to the provisions of Code Sections 10177(d),  
18 10177(g) and 10177(h).

19 COSTS

20 8.

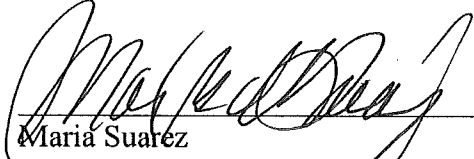
21 Code Section 10106 provides, in pertinent part, that in any order issued in resolution  
22 of a disciplinary proceeding before the Bureau of Real Estate, the Commissioner may request the  
23 administrative law judge to direct a licensee found to have committed a violation of this part to  
24 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1                   WHEREFORE, Complainant prays that a hearing be conducted on the allegations  
2 of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary  
3 action against the licenses and license rights of Respondents PAUL HOMAYOUN, KEVIN  
4 DANIALIFAR, and ICONIC REALTY GROUP, INC., under the Real Estate Law (Part 1 of  
5 vision 4 of the Business and Professions Code), for the cost of investigation and enforcement as  
6 permitted by law, and for such other and further relief as may be proper under other provisions of  
7 law, and for costs of audit.

8 Dated at Los Angeles, California

9 this 18<sup>th</sup> day of February, 2015.

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13 Maria Suarez  
14 Deputy Real Estate Commissioner  
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21 cc: Paul Homayoun  
22 Kevin Danialifar  
23 Iconic Realty Group, Inc.  
24 Maria Suarez  
25 Sacto.  
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