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**FILED**

MAY - 3 2019

DEPT. OF REAL ESTATE

By *[Signature]*

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, California 90013  
4 Telephone: (213) 576-6982

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 To:	)	No. H-41354 LA
	)	
12 DARIN GHAFFARI	)	<u>ORDER TO DESIST</u>
	)	<u>AND REFRAIN</u>
	)	
14	)	(B&P Code section 10086)
	)	

16 The Commissioner ("Commissioner") of the California Department of Real  
17 Estate ("Department") caused an investigation to be made of the activities of DARIN  
18 GHAFFARI dba E Mortgage ("GHAFFARI"). Based on that investigation, the Commissioner  
19 has determined that GHAFFARI has engaged in or is engaging in acts or are attempting to  
20 engage in the business of, acting in the capacity of, and/or advertising or assuming to act as a  
21 real estate broker in the State of California within the meaning of California Business and  
22 Professions Code section 10131(d) (solicit borrowers or lenders for or negotiate loans or collect  
23 payments or perform services for borrowers or lenders or note owners in connection with loans  
24 secured directly or collaterally by liens on real property or on a business opportunity). Based on  
25 the findings of that investigation, as set forth below, the Commissioner hereby issues the

1 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order pursuant to  
2 California Business and Professions Code section 10086.

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4 FINDINGS OF FACT

5 1. GHAFFARI is not now, and has never been, licensed by the Department  
6 of Real Estate in any capacity.

7 2. At all times set forth below, GHAFFARI engaged in the business of,  
8 acted in the capacity of, or advertised mortgage loan originator, loan modification, and/or  
9 foreclosure rescue services, offering to perform and performing loan modification or  
10 negotiation services with respect to loans which were secured by liens on real property for  
11 compensation or in expectation of compensation and for fees collected in advance of the  
12 transaction, including but not limited, to the activities described below.

13 3. From at least 2016 through 2017, GHAFFARI advertised, solicited, and  
14 conducted loan modification services and collected advanced fees, in violation of California  
15 Business and Professions Code sections 10085.5(a) and 10085.6(a).

16  
17 CONCLUSIONS OF LAW

18 Based on the information contained in Paragraphs 1 through 3, above, DARIN  
19 GHAFFARI engaged in activities requiring a broker license and mortgage loan originator  
20 endorsement without first obtaining a broker license and mortgage loan originator endorsement  
21 from the Department of Real Estate in violation California Business and Professions Code  
22 sections 10130 and 10166.02. These activities include, but are not limited to making, arranging,  
23 and/or servicing loans secured by real property and advertising such services.

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DESIST AND REFRAIN ORDER

IT IS HEREBY ORDERED THAT DARIN GHAFFARI, whether doing business under his own names or any other names or fictitious names, immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required.

IT IS FURTHER ORDERED THAT DARIN GHAFFARI immediately desist and refrain from:

- (i) Making, arranging, and/or servicing loans secured by real property.
- (ii) Advertising, soliciting clients, and/or providing loan modification services.
- (iii) Collecting fees, including advanced fees, for acts requiring a real estate license, including but not limited to, loan modification services.

DATED: May 1, 2019.

DANIEL J. SANDRI  
ACTING REAL ESTATE COMMISSIONER

*Daniel J. Sandri*

**Notice:** California 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: Darin Ghaffari  
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