

1 Department of Real Estate  
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FILED

AUG 26 2010

DEPARTMENT OF REAL ESTATE

By K. Max

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

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11  
12 To: )  
13 ) NO. H-5451 SAC  
14 DIAMOND DIVERSIFIED INVESTMENT )  
15 GROUP, INC., MICHAEL DIAMOND and ) ORDER TO DESIST AND REFRAIN  
16 ERIC MOORE. ) (B&P Code Section 10086)  
17 )  
18 )

17 The Commissioner ("Commissioner") of the California Department of Real  
18 Estate ("Department") caused an investigation to be made of the activities of DIAMOND  
19 DIVERSIFIED INVESTMENT GROUP, INC. ("DIAMOND DIVERSIFIED"), MICHAEL  
20 DIAMOND, also known as "Michael R. Jackson" ("DIAMOND") and ERIC MOORE  
21 ("MOORE") (collectively "Respondents"). Based on that investigation, the Commissioner has  
22 determined that DIAMOND DIVERSIFIED, DIAMOND and MOORE, have engaged in, are  
23 engaging in, or are attempting to engage in, acts or practices constituting violations of the  
24 California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code  
25 of Regulations ("Regulations"), including acting in the capacity of, advertising or assuming to  
26 act as a real estate broker in the State of California within the meaning of Sections 10131(d)  
27 (performing services for borrowers and/or lenders in connection with loans secured by real

1 property) and 10085 (collecting unauthorized advance fees) of the Code. Furthermore, based on  
2 the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions  
3 of Law and Desist and Refrain Order under the authority of Section 10086 of the Code.

4 FINDINGS OF FACT

5 1. At no time herein mentioned has DIAMOND DIVERSIFIED been licensed by  
6 the Department in any capacity.

7 2. At no time herein mentioned has DIAMOND been licensed by the Department  
8 in any capacity. DIAMOND is the President of DIAMOND DIVERSIFIED.

9 3. At no time herein mentioned has MOORE been licensed by the Department in  
10 any capacity.

11 4. During the period of time set out below, Respondents performed services for one  
12 or more borrowers and negotiated to do one or more of the following acts for another or others,  
13 for or in expectation of compensation: solicit and/or negotiate one or more loans for, or perform  
14 services for, borrowers and/or lenders with respect to the collection of advance fees and loan  
15 modification, loan refinance, principal reduction, foreclosure abatement or short sale services  
16 and/or those borrowers' lenders in connection with loans secured directly or collaterally by one  
17 or more liens on real property; and charged, demanded or collected an advance fee for any of  
18 the services offered.

19 5. In furtherance of their plan and scheme to provide loan modification and short  
20 sale services, Respondents solicited clients by way of a flyer which they mailed out offering  
21 loan modification services.

22 6. In furtherance of their plan and scheme to provide loan modifications and short  
23 sale services, Respondents provided services including, but not limited to, processing documents  
24 for clients related to such loan modifications and short sales, and obtaining market analysis  
25 reports for a client's property.

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1 DESIST AND REFRAIN ORDER

2 Based on the Findings of Fact and Conclusions of Law stated herein, you,  
3 DIAMOND DIVERSIFIED INVESTMENT GROUP, INC., MICHAEL DIAMOND and ERIC  
4 MOORE, whether doing business under your own name, or any other name or fictitious name,  
5 or by and/or through any related entity, ARE HEREBY ORDERED to immediately desist and  
6 refrain from:

- 7 1. Performing acts that require a real estate license unless and until you are properly  
8 licensed by the Department as a real estate broker; and
- 9 2. Charging, demanding, claiming, collecting and/or receiving advance fees, as that  
10 term is defined in Section 10026 of the Code, for any of the services you offer to others,  
11 in any form, and particularly with respect to loan modification, loan refinance, principal  
12 reduction, foreclosure abatement or short sale services, unless and until you demonstrate  
13 and provide evidence satisfactory to the Commissioner that you are properly licensed by  
14 the Department as a real estate broker and that you have:
- 15 (a) An advance fee agreement which has been submitted to the Department and  
16 which is in compliance with Sections 2970 and 2972 of the Regulations;
- 17 (b) Placed all previously collected advance fees into a trust account for that purpose  
18 and are in compliance with Section 10146 (deposit of advance fees into trust  
19 account) of the Code; and
- 20 (c) Provided an accounting to trust fund owner-beneficiaries pursuant to Section  
21 2972 of the Regulations.

22 DATED: 8-12, 2010

23 JEFF DAVI  
24 Real Estate Commissioner

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