

FILED

JUN - 8 2010

DEPARTMENT OF REAL ESTATE

*R. Henry*

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916) 227-0789  
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7

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 In the Matter of the Bar Order Against: )  
12 )  
13 AMIR SANI, an individual, and )  
14 PEOPLES FIRST FINANCIAL, INC., )  
15 Respondents. )

DRE NO. H-4119 SD  
BAR ORDER  
(B&P Code § 10087)

16 TO: PEOPLES FIRST FINANCIAL, INC.  
17 10179 Huennekens St., #200  
18 San Diego, CA 92121  
19 AMIR SANI  
20 10179 Huennekens St., #200  
21 San Diego, CA 92121

22 Pursuant to Section 10087(b) of the California Business and Professions Code  
23 (hereinafter "the Code"), you are hereby notified of the intention of the California Real Estate  
24 Commissioner (hereinafter "Commissioner") to issue a Bar Order pursuant to Section 10087(a)  
25 of the California Business and Professions Code.

26 Pursuant to the authority granted by Section 10087 of the Code, and after review  
27 and consideration of the following facts, the Commissioner makes the following:

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1 FINDINGS OF FACT

2 1. On or about January 13, 2009, the Commissioner, in Department of Real  
3 Estate Case Number H-3896 SD, issued an Order to Desist and Refrain, a true and correct copy  
4 is attached hereto as Exhibit "1" and is incorporated herein by reference. Respondent PEOPLES  
5 FIRST FINANCIAL, INC., was ordered to cease claiming, demanding, charging, receiving,  
6 collecting and contracting to received fees in advance of performing mortgage loan modification  
7 services for loans secured by real property using an advance fee contract and other materials  
8 used in obtaining an advanced fee agreement before the same had been submitted to the  
9 Department of Real Estate for review.

10 2. On or about June 2, 2009, Joseph Aiu, Deputy Real Estate Commissioner  
11 for the California Department of Real Estate, caused to be filed an accusation against  
12 respondents, PEOPLES FIRST FINANCIAL INC., AMIR SANI and others in Department of  
13 Real Estate Case Number H-3968 SD, a true and correct copy of the accusation is attached  
14 hereto as Exhibit "2" and is incorporated herein by reference.<sup>1</sup> The accusation alleged, among  
15 other allegations, that:

16 (a) PEOPLES FIRST FINANCIAL INC., and AMIR SANI engaged in the  
17 business, acted in the capacity of, advertised or assumed to act as a real estate broker conducting  
18 mortgage loan brokerage and/or loan modification business with the public wherein each of them  
19 solicited lenders and borrowers for or negotiated loans or advance fees, collected payments  
20 and/or performed services for borrowers or lenders or note owners in connection with loans  
21 secured directly or collaterally by liens on real property for or in expectation of compensation;

22 (b) PEOPLES FIRST FINANCIAL INC., and AMIR SANI failed to cause the  
23 advance fee contract and all materials used in obtaining the advance fee agreement to be  
24 submitted to the Department of Real Estate prior to use as required under then Section 10085 of  
25 the Code and Section 2970 of title 10 of the California Code of Regulations ("Regulations");  
26

27 <sup>1</sup> Davi Jean Nelson was named in the accusation as a respondent. However, Mr. Nelson settled with the Department and is not a party to this bar order.

1 (c) PEOPLES FIRST FINANCIAL INC., and AMIR SANI, in violation of  
2 Section 10146 of the Code, failed to immediately deliver into a neutral escrow depository or into  
3 a trust account advanced fees which were received by Respondents and;

4 (e) PEOPLES FIRST FINANCIAL INC., and AMIR SANI failed to furnish  
5 each principal borrower with a verified accounting of the advance fees received by Respondents  
6 as required by Section 1046 of the Code and Section 2972 of the Regulations.

7 (f) Respondent AMIR SANI, as the designated broker/officer of PEOPLES  
8 FIRST FINANCIAL, failed to exercise reasonable supervision over the operations of PEOPLES  
9 FIRST FINANCIAL thus permitting the acts, events and omissions enumerated in the accusation  
10 to occur.

11 3. On or about August 10, 2009, after receiving proper service of the  
12 Department's Accusation and having failed to file a Notice of Defense or otherwise appear, the  
13 Department filed its August 4, 2009 *Default Order* against Respondents PEOPLES FIRST  
14 FINANCIAL, INC., and AMIR SANI. On August 19, 2009, with an effective date of September  
15 16, 2009, the Commissioner of the Department of Real Estate issued his default decision in Case  
16 Number H-3968 SD revoking the licenses and license rights of Respondents PEOPLES FIRST  
17 FINANCIAL, INC., and AMIR SANI. The Commissioner's *Decision* was filed within the  
18 records of the Department of Real Estate on or about August 26, 2009. A true and correct copy  
19 of the Commissioner's *Decision* is attached hereto as Exhibit "3" and is incorporated herein by  
20 reference. Having been properly served with the Commissioner's *Decision* and *Default Order*,  
21 Respondents' PEOPLES FIRST FINANCIAL, INC., and AMIR SANI time to seek to set aside  
22 or otherwise appeal the Commissioner's August 19, 2009 decision has expired.

23 CONCLUSIONS OF LAW

24 Based on the findings set forth above, the Commissioner has determined that:

25 (A) A Bar Order is in the public interest;

26 (B) Respondent has knowingly committed violations of the Real Estate Law;

27 and,

1 (C) Respondent's violations of the Real Estate Law have caused material  
2 damage to the public.

3 NOW, THEREFORE, IT IS ORDERED, pursuant to the authority of Sections  
4 10086 and 10087 of the Code, AMIR SANI and PEOPLES FIRST FINANCIAL, INC., are  
5 hereby barred and prohibited for a period of thirty-six (36) months from the effective date of this  
6 Bar Order, from engaging in any of the following activities in the State of California:

7 (A) Holding any position of employment, management, or control in a real  
8 estate business;

9 (B) Participating in any business activity of a real estate salesperson or a real  
10 estate broker;

11 (C) Engaging in any real estate related business activity on the premises where  
12 a real estate salesperson or real estate broker is conducting business; and,  
13 Participating in any real estate related business activity of a finance lender,  
14 residential mortgage lender, bank, credit union, escrow company, title  
15 company, or underwritten title company.

16 NOTICE OF RIGHT AND OPPORTUNITY FOR A HEARING

17 Pursuant to Section 10087 of the Code, you have the right to request a hearing  
18 under the California Administrative Procedure Act (Chapter 4.5 – commencing with Section  
19 11400 of the Government Code). If you desire a hearing, you must submit a written request  
20 within fifteen (15) days after the mailing or service of this “Notice of Intention to Submit Bar  
21 Order; and Bar Order.” The request may be in any form provided it is in writing, includes your  
22 current return address, and indicates that you want a hearing, is signed by you or on your behalf,  
23 and is delivered or mailed to the Department of Real Estate, P. O. Box 187007, Sacramento,  
24 California, 95818-7007, Attention Legal Section, or is delivered personally to the offices of the  
25 Department of Real Estate, 2201 Broadway, Sacramento, California.

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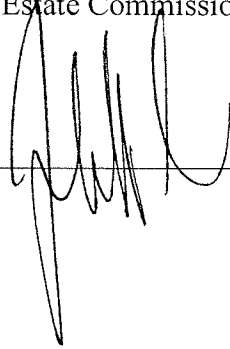
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If no hearing is requested within said fifteen (15) day time period, your failure to request a hearing shall constitute a waiver of the right to a hearing.

THIS BAR ORDER IS EFFECTIVE IMMEDIATELY.

It is so ordered on 6-8-2010.

JEFF DAVI  
Real Estate Commissioner



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PEOPLES FIRST FINANCIAL, INC.  
10179 Huennekens St., #200  
San Diego, CA 92121

AMIR SANI  
10179 Huennekens St., #200  
San Diego, CA 92121