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FILED

MAR 11 2009

DEPARTMENT OF REAL ESTATE

BY: *[Signature]*

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 In the Matter of the Accusation of)

12 MOHAMMAD GHAEMI,)

13 Respondent.)
14)

No. H-35770 LA

A C C U S A T I O N

15 The Complainant, Robin Trujillo, a Deputy Real Estate
16 Commissioner of the State of California, for cause of Accusation
17 against MOHAMMAD GHAEMI aka Mohammad Michael Ghaemi and aka GTS,
18 LLC and doing business as GTS Credit Services, alleges as
19 follows:

20 1.

21 The Complainant, Robin Trujillo, acting in her official
22 capacity as a Deputy Real Estate Commissioner of the State of
23 California, makes this Accusation against MOHAMMAD GHAEMI
24 ("GHAEMI").
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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.

3.

At all times mentioned, from on or about September 5, 2008 to date, GHAEMI (hereinafter referred to as "Respondent"), is presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter Code), as a real estate broker. GHAEMI was originally licensed as a real estate broker July 17, 1999.

4.

At all times mentioned, in City of Irvine, County of Orange, GHAEMI acted as a real estate broker and conducted licensed activities within the meaning of:

A. Code Section 10131(d). From on or about July 17, 1999 to date, GHAEMI engaged in activities with the public wherein lenders and borrowers were solicited for loans secured directly or collaterally by liens on real property, wherein such loans were arranged, negotiated, processed and consummated on behalf of others for compensation or in expectation of compensation and for fees often collected in advance as well as at the conclusion of transactions; and

B. Code Section 10131.2. From on or about September 5, 2008 to date, GHAEMI engaged in the business of a loan modification and loan restructuring service, and an advance fee

1 brokerage dba GTS, LLC and dba GTS Credit Services. Respondent
2 performed loan modification services with respect to loans which
3 were secured by liens on real property for compensation or in
4 expectation of compensation and for fees often collected in
5 advance and as well at the close of the transactions.
6 Respondents contacted lenders on behalf of distressed homeowners
7 seeking modification of the terms of their home loans, interest
8 and/or principal reduction, foreclosure abatement, loan
9 refinance, and/or short sale services.

10 4.

11 In connection with Respondent's licensed activities,
12 GHAEMI acted in violation of the Code and Regulations as follows:

13 (a) Violated Code Section 10146 by collecting advance
14 fees from the public yet failing to deposit the fees into a real
15 estate broker trust account.

16 (b) Violated Regulation 2970 by failing to submit to
17 the Commissioner not less than ten calendar days before
18 publication or other use, all materials to be used in
19 advertising, promoting, soliciting and negotiating an agreement
20 calling for the payment of an advance fee including the form of
21 advance fee agreement proposed for use.

22 (c) Violated Regulation 2972 by failing to provide a
23 complete description of loan modification services to be rendered
24 provided to each would-be homeowner in 10 point type font and an
25 allocation and disbursement of the amount collected as the
26 advance fee; and
27

1 (d) Used the fictitious name of "GTS, LLC" and "GTS
2 Credit Services" to conduct loan modification activities without
3 holding a license bearing said fictitious business names, in
4 violation of Code Section 10159.5 and Regulation 2731

5 5.

6 The conduct of Respondent GHAEMI described in Paragraph
7 4, above, violated the Code and the Regulations as set forth
8 below:

9 PARAGRAPH

PROVISIONS VIOLATED

10
11 7(a)

Code Section 10146

12
13 7(b)

Regulation 2970

14
15 7(c)

Regulation 2972

16
17 7(d)

Code Section 10159.5 and Regulation
18 2731
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20 The foregoing violations constitute cause for the suspension or
21 revocation of the real estate license and license rights of
22 GHAEMI, under the provisions of Code Sections 10177(d) and/or
23 10177(g).

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2 The overall conduct, acts and/or omissions of
3 Respondent GHAEMI in failing to ensure full compliance with the
4 Real Estate Law is in violation of Code Sections 10177(d),
5 10177(g) and/or 10177(h).

6 WHEREFORE, Complainant prays that a hearing be
7 conducted on the allegations of this Accusation and that upon
8 proof thereof, a decision be rendered imposing disciplinary
9 action against the license and license rights of Respondents
10 MOHAMMAD GHAEMI, under the Real Estate Law (Part 1 of Division 4
11 of the Business and Professions Code) and for such other and
12 further relief as may be proper under other applicable provisions
13 of law.

14 Dated at Los Angeles, California

15 this 18 day of February 2009. 
16 Deputy Real Estate Commissioner

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24 cc: Mohammad Ghaemi D.O.
25 Robin Trujillo
26 Sacto.
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