

1 DEPARTMENT OF REAL ESTATE
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 (213) 576-6982

FILED

MAY 02 2011

DEPARTMENT OF REAL ESTATE

BY: 

9 STATE OF CALIFORNIA

10 DEPARTMENT OF REAL ESTATE

11 To:)	
)	NO. H- 37240 LA
12 SAFE HARBOR DEBT MANAGEMENT, INC.,)	
13 or any other fictitious names used by Safe)	
14 Harbor Debt Management, LLC;)	ORDER TO DESIST AND
15 and RAMIN REDJAI)	REFRAIN
)	(B&P Code Section 10086)
)	

16

17 The Commissioner ("Commissioner") of the California Department of Real Estate

18 ("Department") caused an investigation to be made of the activities SAFE HARBOR DEBT

19 MANAGEMENT, INC. ("SHDM") and RAMIN REDJAI ("REDJAI"). Based on that

20 investigation, the Commissioner has determined that SHDM or any other fictitious business

21 names used by SHDM and REDJAI have engaged in, are engaging in, or are attempting to

22 engage in, acts or practices constituting violations of the California Business and Professions

23 Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"), including the

24 business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate

25 broker in the State of California within the meaning of Code Section 10131(d) (performing

26

27

1 services for borrowers in connection with loans secured by real property) and 10131.2 (advance
2 fee handling) of the Code. Based on the findings of that investigation, set forth below, the
3 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and
4 Refrain Order under the authority of Section 10086 of the Code.

5 Whenever acts referred to below are attributed to SHDM or REDJAI, those acts are
6 alleged to have been done by themselves, or by and/or through one or more agents, associates,
7 affiliates, and/or co-conspirators, or other names or fictitious names unknown at this time.

8
9 FINDINGS OF FACT

10 1. SHDM is not now, and has never been, licensed by the Department in any capacity.
11 SHDM is a registered corporation incorporated under the laws of the State of California with a
12 Statement of Information filed with the Secretary of State listing REDJAI as the Chief Executive
13 Officer, Secretary, Chief Financial Officer, Director, and Agent for Service of Process. SHDM
14 has a Fictitious Business Name Statement filed with the Orange County Clerk-Recorder with
15 Esquire Capital Group, Inc. listed as the registered owners.

16
17 2. REDJAI has been licensed by the Department as a real estate broker since March 2, 2004
18 and is presently the designated officer for Apex Funding Inc..

19 3. On or about September 14, 2008, SHDM solicited Todd B. on the telephone to apply for
20 a loan modification. When Todd B. asked for a license number to verify the legitimacy of the
21 company, the caller declined to state his own name informed him that they a real estate license is
22 not required to do mortgage modifications because SHDM had lawyers at their location. Todd
23 B. checked the SHDM (<http://www.safeharbordebt.com>) and DRE websites and discovered that
24 SHDM is not licensed with the DRE.
25

26 ///

1 4. On or about August 16, 2008, Ihsan Z. paid to SHDM an advance fee of \$1,000.00 by
2 personal check (Check No. 107), pursuant to an agreement pertaining to loan solicitation,
3 negotiation, and modification services to be provided by SHDM with respect to a loan secured
4 by real property located at 23412 Pacific Park Drive, #14D, Aliso Viejo, CA 92656. On or about
5 September 2, 2008, Ihsan Z. paid SHDM the balance of the advance fee owed, \$1,500.00 by
6 personal check (Check No. 103). After eight months, Ihsan Z. learned that SHDM had not
7 worked on any loan modification or negotiation on the Aliso Viejo property; SHDM refused to
8 return any of Ihsan Z.'s attempts to communicate regarding the modification.
9

10 5. SHDM and REDJAI did not submit the advance fee agreement referred to in Paragraph
11 5 above, to the Commissioner ten days before using it.

12 CONCLUSIONS OF LAW

13
14 6. Based on the findings of fact contained in paragraphs 1 through 5, SHDM, acting by
15 itself, or by and/or through agents, associates, representatives, and/or co-conspirators, including,
16 but not limited to REDJAI, and using the name "Safe Harbor Debt Management" or other names
17 or fictitious names unknown at this time, solicited borrowers and performed services for those
18 borrowers and/or those borrowers' lenders in connection with loans secured directly or
19 collaterally by one or more liens on real property, and charged, demanded or collected advance
20 fees for the services to be provided, which acts require a real estate broker license under Sections
21 10131(d) and 10131.2 of the Code, during a period of time when SHDM was not licensed by the
22 Department as a real estate broker, in violation of Section 10130 of the Code.

23 7. Based on the findings of fact contained in paragraphs 1 through 5, the agreement
24 between Ihsan Z. and SHDM constitutes an advance fee agreement within the meaning of Code
25 Section 10026. The failure by REDJAI to submit the advance fee agreement to the
26 Commissioner two days before using it constitutes a violation of Code Section 10085 and
27 Regulation 2970.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

DESIST AND REFRAIN ORDER:
SAFE HARBOR DEBT MANAGEMENT, INC.

Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that SAFE HARBOR DEBT MANAGEMENT, INC. whether doing business under your own name or any other name(s) or fictitious name(s), ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, unless you are so licensed. In particular you are ORDERED TO DESIST AND REFRAIN from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units; and
2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

///
///
///
///
///
///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

DESIST AND REFRAIN ORDER:

RAMIN REDJAI

Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that RAMIN REDJAI, whether doing business under your own name or any other name(s) or fictitious name(s), IS HEREBY ORDERED to:

1. immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form and under any conditions, with respect to loan modification, loan refinance, principal reduction, foreclosure abatement or short sale services, or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6);
2. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the other real estate related services offered to others, unless and until RAMIN REDJAI demonstrates and provide evidence satisfactory to the Commissioner that RAMIN REDJAI:
 - a. has an advance fee agreement which has been submitted to the Commissioner in compliance with Code Section 10085 and Section 2970 of the Regulations;
 - b. has placed all previously collected advance fees into a trust account for that purpose in compliance with the provisions of Code Section 10146;
 - c. has complied with the provisions of Code Section 10145 and Sections 2831, 2831.1 and 2831.2 of the Regulations with respect to any trust account into which advance fees are deposited; and

1 d. has provided an accounting to trust fund owner-beneficiaries from whom advance
2 fees have previously been collected in compliance with Code Section 10146 and
3 Section 2972 of the Regulations.
4

5 DATED: 4-25 2011
6

7 JEFF DAVI
8 Real Estate Commissioner

9 By 
10

11 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a real estate
12 broker or real estate salesperson without a license or who advertises using words indicating that he or she
13 is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not
14 exceeding twenty thousand dollars (\$20,000), or by imprisonment in the county jail for a term not to
15 exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not
16 exceeding sixty thousand dollars (\$60,000)."
17
18
19
20
21
22
23

24 cc: SAFE HARBOR DEBT MANAGEMENT, INC.
25 2973 Harbor Blvd., Suite 570
26 Costa Mesa, CA 92626

26 RAMIN REDJAI
27 101 Luminous
Irvine, CA 92603