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8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

11 In the Matter of:) ESCROW LICENSE NO.: 963-2676
12)
13 THE COMMISSIONER OF BUSINESS)
OVERSIGHT,)
14) DEMAND FOR AND ORDER TAKING
Complainant,) POSSESSION OF THE TRUST FUNDS AND
15) ESCROW RECORDS OF AMERILINK
vs.) ESCROW, INC. PURSUANT TO FINANCIAL
16) CODE SECTION 17621
17)
18 AMERILINK ESCROW, INC.)
19 Respondent.)

20 TO: AMERILINK ESCROW, INC.
21 16742 Gothard St., Suite #214
22 Huntington Beach, CA 92647

23 UNION BANK
24 15377 Brookhurst St.
Westminster, CA 92683
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1 WHEREAS, Jan Lynn Owen, the Commissioner of Business Oversight (Commissioner), has
2 found that Amerilink Escrow, Inc. (Amerilink), an escrow agent subject to the Escrow Law
3 (Financial Code section 17000 et seq.), is unable to remedy certain conditions set forth in the Notice
4 and Summary of Findings Pursuant to Financial Code section 17621 issued by the Commissioner on
5 August 16, 2017;

6 WHEREAS, Amerilink is conducting business in an unsafe, injurious, and unauthorized
7 manner, so as to render further operations hazardous to the public and to the customers in that
8 Amerilink has:

9 (a) engaged in unsafe and unauthorized practices by knowingly or recklessly engaging in
10 activity that constitutes theft or fraud in several escrow transactions and knowingly or recklessly
11 made or caused to be made material misstatements in escrow records by generating escrow receipts
12 that falsely represented that deposits have been received in escrow, when in fact no deposits were
13 received and that falsely represented the source of the deposits, in violation of Financial Code
14 section 17414, subdivisions (a)(1) and (2);

15 (b) made unauthorized disbursements of trust funds in violation of Financial Code
16 section 17414, subdivision (a)(1) and California Code of Regulations, title 10, sections 1738 and
17 1738.2;

18 (c) closed escrows with debit balances and caused trust shortages in violation of
19 California Code of Regulation, title 10, section 1738.1; and

20 (d) failed to meet the liquid asset and tangible net worth requirements set forth in
21 Financial Code section 17210.

22 NOW, GOOD CAUSE APPEARING, pursuant to Financial Code section 17621, the
23 Commissioner, effective this date, hereby demands and takes possession of the trust accounts of
24 Amerilink Escrow, Inc., any indemnity funds paid or to be paid by Escrow Agents' Fidelity
25 Corporation and all bank and escrow records pertinent thereto, and will retain possession thereof
26 until the Commissioner appoints a conservator, or until its affairs are finally liquidated as provided
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1 for in Division 6, Chapter 6 of the Financial Code, or it resumes business with the consent and upon
2 such conditions as the Commissioner may prescribe.

3 This Demand For and Order Taking Possession is effective as of the date hereof.

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Dated: August 16, 2017
Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division