

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 MARISA I. URTEAGA-WATKINS (CA BAR NO. 236398)
4 Corporations Counsel
Department of Corporations
5 1515 K Street, Suite 200
6 Sacramento, California 95814
Telephone: (916) 445-9626
7 Facsimile: (916) 445-6985
8 Attorneys for Complainant

9
10 BEFORE THE DEPARTMENT OF CORPORATIONS
11 OF THE STATE OF CALIFORNIA
12

13 In the Matter of the Accusation of THE) File No.: 963-2025
14 CALIFORNIA CORPORATIONS)
15 COMMISSIONER,) **ACCUSATION**
16)
Complainant,)
17 vs.)
18 C. GULL ESCROW, INC.,)
19 Respondent.)

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21 The Complainant is informed and believes and based upon such information and belief,
22 alleges and charges as follows:
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24 **I.**

25 C. GULL ESCROW, INC. (“Respondent” or “C.GULL”) is an escrow agent licensed by the
26 California Corporations Commissioner ("Commissioner" or "Complainant") pursuant to the Escrow
27 Law of the State of California (California Financial Code Section 17000 *et seq.*).
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1 On or about April 14, 2011, a Certified Public Accountant on behalf of C.GULL, submitted
2 C.GULL’s Annual Report of December 31, 2010 (“Report 2010”). The Report 2010 reflected a
3 liquid asset deficiency of \$7,174.00 and a gross tangible asset deficiency of \$10,008.00 as of
4 December 31, 2010. These amounts varied from the amounts previously reported in the Unaudited
5 Statements.

6 On or about April 21, 2011, the Commissioner issued another correspondence to the
7 Respondent requiring immediate action to cure all noted deficiencies (“Third and Final Notice”).
8 C.GULL was warned again in the Third and Final Notice that failure to cure the deficiencies could
9 result in the suspension of C.GULL’s escrow license. The Commissioner did not receive a response
10 to the Third and Final Notice from C.GULL. The Commissioner has attempted to contact C.GULL
11 and has left several telephone messages. To date, C.GULL has not responded to any request or has
12 yet to cure any deficiency in violation of California Financial Code section 17210.

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14 **III.**

15 Financial Code section 17210 provides in pertinent part as follows:

16 An escrow agent licensed on or after January 1, 1986,
17 shall maintain at all times a tangible net worth of fifty thousand
18 dollars (\$50,000), including liquid assets of at least twenty-five
thousand dollars (\$25,000) in excess of current liabilities.

19 Financial Code section 17608 provides in pertinent part:

20 The commissioner may, after notice and a reasonable opportunity to
21 be heard, suspend or revoke any license if he finds that:

22 (b) The licensee has violated any provision of this division or any
23 rule made by the commissioner under and within the authority of this
24 division.

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IV.

Complainant finds that, by reason of the foregoing, C. GULL ESCROW, INC. has violated Financial Code section 17210, which constitutes grounds for the suspension of its escrow agent’s license.

WHEREFORE, IT IS PRAYED that C. GULL ESCROW, INC.’s escrow agent’s license be suspended until such time as C. GULL ESCROW, INC. cures all net liquid asset and tangible net worth asset deficiencies and thus complies with California Financial Code section 17210, or for a period of one month, whichever period is greater.

Dated: September 5, 2011
Sacramento, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Marisa I. Urteaga-Watkins
Corporations Counsel

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12 In the Matter of the Accusation of THE) File No.: 963-2025
CALIFORNIA CORPORATIONS)
13 COMMISSIONER,) **ORDER DISMISSING ACCUSATION**
)
14 Complainant,)
15 vs.)
)
16 C. GULL ESCROW, INC.,)
)
17 Respondent.)

18 It is hereby ordered that the Accusation in Support of Suspension of California Escrow
19 Agent License issued on September 6, 2011 against C. GULL ESCROW, INC is dismissed without
20 prejudice. This Order is effective as of September 12, 2011.
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22 DATED: October 3, 2011
23 Sacramento, CA

24 PRESTON DuFAUCHARD
California Corporations Commissioner

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27 By _____
Alan S. Weinger
Deputy Commissioner
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