

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN WEINGER
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4 Department of Corporations
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8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of the Accusation of THE) File No.: 963-2201
CALIFORNIA CORPORATIONS)
12 COMMISSIONER,) ERRATUM
13)
Complainant,)
14)
15 vs.)
16 CATALINA ESCROW, INC.,)
17 Respondent.)
18 _____)

19 TO: CATALINA ESCROW, INC.
20 1200 Artesia Boulevard, Suite 300
21 Hermosa Beach, California 90254

22 **CORRECTION:** Page 1, line 23 “Caliber Escrow, Inc.” should read “Catalina Escrow, Inc.”

23
24 Dated: April 12, 2010
Sacramento, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

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26
27 By _____
28 Alan S. Weinger
Deputy Commissioner

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10
11 In the Matter of the Accusation of THE) File No.: 963-2201
CALIFORNIA CORPORATIONS)
12 COMMISSIONER,) ORDER SUSPENDING ESCROW LICENSE
13) PURSUANT TO CALIFORNIA FINANCIAL
Complainant,) CODE SECTION 17608
14)
15 vs.)
16 CATALINA ESCROW, INC.,)
17 Respondent.)
18 _____)

19 TO: CATALINA ESCROW, INC.
20 1200 Artesia Boulevard, Suite 300
21 Hermosa Beach, California 90254

22 NOW THEREFORE the California Corporations Commissioner (“Commissioner”), having
23 found that Caliber Escrow, Inc. has failed to file its annual audit report containing audited financial
24 statements for its fiscal year ended December 31, 2008, and failed to pay penalties imposed by the
25 Commissioner on October 21, 2009, hereby suspends the escrow agent’s license of Catalina Escrow,
26 Inc. as of January 5, 2010 until such time as the 2008 audit report is filed or for a period of one
27 month, whichever is longer pursuant to Financial Code section 17608.

28 In connection with the suspension, Catalina Escrow, Inc. shall file with the Commissioner at
close of business on January 4, 2010 (the business day immediately preceding the date on which the

1 suspensions are to commence) a list of all open escrows with escrow numbers and escrow party
2 names along with a copy of the signed escrow instructions and signed deposit receipt(s) for the last
3 opened escrow. For purposes of this suspension, “open escrow” shall mean an escrow wherein the
4 parties to such escrow have already entered into a binding agreement and monies and/or escrow
5 instructions have been submitted to Catalina Escrow, Inc. regarding the transaction.

6 Pursuant to Financial Code section 17406, Catalina Escrow, Inc. (“Catalina Escrow”) is
7 required to submit its annual audit report for the fiscal year ending on December 31 to the
8 Commissioner on or before April 15.

9 On or about November 17, 2008, the Commissioner notified Catalina Escrow in writing that
10 its 2008 audit report would become due April 15, 2009. Catalina Escrow failed to file the 2008 audit
11 report by April 15, 2009.

12 On or about June 26, 2009, a second letter was sent via certified mail to Catalina Escrow
13 concerning its failure to file the 2008 audit report. Catalina Escrow was notified therein that failure
14 to file the 2008 audit report could result in assessment of penalties, a special examination and/or
15 administrative action. This letter was certified as delivered on July 1, 2009.

16 Catalina Escrow failed to file its 2008 audit report as required by Financial Code section
17 17406. After the Department of Corporations issued an Accusation, Order Imposing Penalties and a
18 Notice of Intention to Issue Order Suspending Escrow Agent’s License on October 21, 2009, the
19 Department of Corporations received a letter from Enrique Coello, owner of Catalina Escrow, Inc.
20 indicating that the company ceased accepting escrow business December 31, 2008 and that the audit
21 report was being prepared by a CPA. However, the audit report has still not been received.

22 Financial Code Section 17608, subdivisions (b) provides as follows:

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

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

Dated: December 30, 2009
Sacramento, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Alan S. Weinger
Deputy Commissioner