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California Corporations Commission
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8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

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11 In the Matter of THE CALIFORNIA) Case No.: 963-1870
CORPORATIONS COMMISSIONER,)
12)
Complainant,) DEMAND FOR, AND ORDER TAKING
13) POSSESSION OF THE TRUST ACCOUNT(S)
AND ESCROW RECORDS OF DAY & NITE
14 vs.) ESCROW, INC. PURSUANT TO
DAY & NITE ESCROW, INC.,) CALIFORNIA FINANCIAL CODE SECTION
15) 17621
16 Respondent.)
17)
18)

19 TO: DAY & NITE ESCROW, INC.
20 c/o Doris A. Morrow, President
21 161 E. Orangethorpe, Space 22
Placentia, California 92870-6415

22 EAST WEST BANK
23 1900 Avenue of The Stars
24 Los Angeles, California 90067

25 WHEREAS, DEMETRIOS A. BOUTRIS, the California Corporations Commissioner
26 ("Commissioner"), has found that DAY & NITE ESCROW, INC. ("Respondent"), an Escrow Agent
27 subject to the Escrow Law (California Financial Code sections 17000 et seq.), is unable to remedy
28 certain conditions set forth in the Notice and Summary of Findings Pursuant to section 17621 of the
California Financial Code issued by the Commissioner on June 11, 2002; and

1 WHEREAS, Respondent is conducting escrow business in an unsafe, injurious and unauthorized
2 manner, so as to render further operations hazardous to the public and to customers in that

3 Respondent has:

- 4 (a) abandoned its escrow business;
- 5 (b) refused to comply with the instructions of escrow parties for re-issuance of checks
6 and/or requests for escrow documents in violation of Financial Code section 17414 (a)(1) and
7 California Code of Regulations, title 10, sections 1738 and 1738.2;
- 8 (c) made an unauthorized disbursement of trust funds in the amount of \$142,418.03 in
9 violation of Financial Code section 17414 (a)(1), which may have caused a shortage to the trust
10 account in violation of California Code of Regulations, title 10, section 1738.1;
- 11 (d) failed to provide the Commissioner with copies of the bank reconciliations or trust
12 account bank records in violation of Financial Code section 17406 (e); and
- 13 (e) failed to submit its closing audit in violation of Financial Code section 17406 (c).

14 NOW, GOOD CAUSE APPEARING, pursuant to Financial Code section 17621, the
15 Commissioner, effective this date, hereby demands and takes possession of the trust account(s) of
16 DAY & NITE ESCROW, INC., and all bank and escrow records pertinent thereto, including, but not
17 limited to cashier's check number 13-4793014161 issued by East West Bank from DAY & NITE
18 trust account number 82322934 dated April 17, 2002 in the amount of \$142,418.03 payable to
19 Fidelity National Title, and will retain possession thereof until the Commissioner appoints a
20 conservator, or until its affairs are finally liquidated as provided for in Division 6, Chapter 6 of the
21 Financial Code, or it resumes business with the consent and upon such conditions as the
22 Commissioner may prescribe.

23 Dated: June 11, 2002
24 Los Angeles, CA

DEMETRIOS A. BOUTRIS
California Corporations Commissioner

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26 By _____
27 Steven C. Thompson
28 Special Administrator, Escrow Law