

1 PRESTON DuFAUCHARD  
California Corporations Commissioner  
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6 Attorneys for Complainant

7  
8 BEFORE THE DEPARTMENT OF CORPORATIONS  
9 OF THE STATE OF CALIFORNIA

10 In the Matter of the Accusation of THE ) File No.: 963-0751  
11 CALIFORNIA CORPORATIONS )  
12 COMMISSIONER, ) ACCUSATION IN SUPPORT OF  
13 Complainant, ) REVOCATION OF CALIFORNIA ESCROW  
14 vs. ) AGENT’S LICENSE  
15 )  
16 ESCROW CHALET, INC., )  
17 Respondent. )  
\_\_\_\_\_ )

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19 The Complainant is informed and believes and based upon such information and belief,  
20 alleges and charges as follows:

21 I

22 Escrow Chalet, Inc. (“Respondent”) is an escrow agent licensed by the California  
23 Corporations Commissioner ("Commissioner" or "Complainant") of the Department of Corporations  
24 (“Department”) pursuant to the Escrow Law of the State of California (California Financial Code  
25 Section 17000 *et seq.*).

26 II

27 The Commissioner received a letter from Respondent dated November 1, 2010, informing  
28 that it wished to surrender its California escrow agent’s license and that it ceased all operations.

1 On December 1, 2010, the Commissioner sent a certified letter to Respondent at its last  
2 known address on file with the Commissioner, which was returned to sender. This letter notified  
3 Respondent that, as a condition of license surrender pursuant to Financial Code section 17600,  
4 subdivision (b), the licensee is required to engage a certified public account to conduct a closing  
5 audit of the licensee’s records (“closing audit report”) and report findings of compliance with the  
6 Escrow Law to the Commissioner within 105 days from the date of the application to surrender the  
7 license.

8 Pursuant to Financial Code section 17600, subdivision (b), the Respondent’s closing audit  
9 report was due 105 days from the date of application to surrender its escrow agent’s license, which  
10 was February 18, 2011.

11 To date, the Commissioner has received neither a response to the December 1, 2010 letter  
12 nor the closing audit report from Respondent.

13 III

14 Financial Code section 17600, subdivision (b), provides as follows:

15 A licensee that ceases to engage in the business regulated by this division and desires  
16 to no longer be licensed shall notify the commissioner in writing and, at that time,  
17 tender the license and all other indicia of licensure to the commissioner. Within 105  
18 days of the written notice to the commissioner, the licensee shall submit to the  
19 commissioner, at its own expense, a closing audit report as of the date the license is  
20 tendered to the commissioner for surrender, or for another period as the commissioner  
21 may specify, to be performed by an independent certified public accountant. The  
22 closing audit shall include, but not be limited to, information required by the  
23 commissioner, a bank reconciliation of the trust account, and a verified statement  
24 from a certified public accountant confirming lawful disbursement of funds. A license  
25 is not surrendered until the commissioner has reviewed and accepted the closing audit  
26 report, a determination has been made by the commissioner that acceptance of the  
27 surrender is in the public interest, and tender of the license is accepted in writing by  
28 the commissioner.

25 Financial Code section 17602.5 provides in pertinent part as follows:

27 If any licensed escrow agent fails to make any reports required by law  
28 or by the commissioner within ten (10) days from the date designated  
for the making of the reports, or within any extension of time granted  
by the commissioner, . . . such failure shall constitute grounds for

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the suspension or revocation of the license held by such escrow agent.

Financial Code section 17608 provides in pertinent part:

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.

IV

Complainant finds that, by reason of the foregoing, Respondent Escrow Chalet, Inc. has violated Financial Code sections 17600 and 17602.5, and it is in the best interests of the public to revoke Respondent’s escrow agent’s license pursuant to Financial Code section 17608.

WHEREFORE, IT IS PRAYED that the California escrow agent’s license of Respondent Escrow Chalet, Inc. be revoked.

Dated: September 7, 2011  
Los Angeles, CA

California Corporations Commissioner

By \_\_\_\_\_  
ALAN S. WEINGER  
Deputy Commissioner