

STATE OF CALIFORNIA  
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY  
DEPARTMENT OF BUSINESS OVERSIGHT

**TO:** FF1, LLC, dba Home Title of America  
6135 Park South Drive, Suite 120  
Charlotte, NC 28210

6115 Park South Drive, Suite 150  
Charlotte, NC 28210-3257

**DESIST AND REFRAIN ORDER**

**(For Violations of Financial Code Section 17200)**

The Commissioner of Business Oversight (“Commissioner”) finds that:

1. At all relevant times herein, FF1, LLC, doing business as Home Title of America (“Home Title of America”) was a North Carolina limited liability company conducting business at 6135 Park South Drive, Suite 120, Charlotte, North Carolina and/or 6115 Park South Drive, Suite 150, Charlotte, North Carolina.

2. At all relevant times herein, Home Title of America was an affiliate of Wyndham Capital Mortgage, Inc. (“Wyndham”), a California-licensed finance lender under the California Finance Lenders Law (Fin. Code, § 22000 et seq.) (“CFLL”), CFLL license number 603-H883.

3. At all relevant times herein, Jeff Douglas was the chief executive officer of Home Title of America and Wyndham.

4. Beginning in or about 2012 and continuing thereafter, Home Title of America engaged in the business of an escrow agent by handling escrow transactions for borrowers. Specifically, during an examination of Wyndham’s business, the Commissioner’s examiner discovered that the HUD-1 settlement statements for Wyndham’s borrowers disclosed Home Title of America as the settlement agent and that Wyndham’s borrowers were paying Home Title of America for escrow services.

5. The Commissioner has not issued a license to Home Title of America authorizing it to engage in business as an escrow agent under the California Escrow Law (“Escrow Law”) (Fin. Code, § 17000 et seq.).

///

1           6.       Home Title of America is not exempt from the licensing requirements of Financial  
2 Code section 17200.

3           Financial Code section 17200 provides:

4                   It shall be unlawful for any person to engage in business as an escrow  
5                   agent within this state except by means of a corporation duly organized  
6                   for that purpose licensed by the commissioner as an escrow agent.

6           Financial Code section 17416 provides:

7                   Whenever in the opinion of the commissioner any person, except as  
8                   named in Section 17006, is engaged, either actually or through  
9                   subterfuge, in the business of receiving escrows for deposit or delivery  
10                  as defined in this division, without a license from the commissioner the  
11                  commissioner may order that person to desist and to refrain from  
12                  engaging in that business. If, within 30 days after such an order is  
13                  served, a request for a hearing is filed in writing and the hearing is not  
14                  held within 60 days thereafter, the order is rescinded.

13           By reason of the foregoing, Home Title of America has engaged in unlicensed escrow  
14 business in violation of Financial Code section 17200.

15           Under Financial Code section 17416, FF1, LLC, doing business as Home Title of America is  
16 ordered to desist and refrain from engaging in the business of receiving escrows for deposit or  
17 delivery without first obtaining a license from the Commissioner, or otherwise being exempt.

18           This order is necessary, in the public interest, for the protection of consumers and consistent  
19 with the purposes, policies, and provisions of the Escrow Law. This order shall remain in full force  
20 and effect until further order of the Commissioner.

21 Dated: April 24, 2015  
22       Los Angeles, CA

22                                   JAN LYNN OWEN  
23                                   Commissioner of Business Oversight

24                                   By \_\_\_\_\_  
25                                   MARY ANN SMITH  
26                                   Deputy Commissioner  
27                                   Enforcement Division