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7 Attorneys for Complainant
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9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

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12 In the Matter of the Accusation of THE) Case No.: 963-2058
CALIFORNIA CORPORATIONS)
13 COMMISSIONER,) ACCUSATION
14)
Complainant,)
15)
16 vs.)
17 TAMARYN FINAZZO and JOANNE)
FINAZZO,)
18)
19 Respondents.)

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

22 I

23 1. Caliber Escrow, Inc. (“Caliber”), a California corporation, is an escrow agent licensed
24 by the California Corporations Commissioner (“Commissioner”) pursuant to the California Escrow
25 Law (California Financial Code § 17000 et seq.). Caliber filed its application for an escrow agent’s
26 license (“application”) with the Commissioner on or about September 25, 2003 pursuant to
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1 California Financial Code section 17209. Caliber is located at 21300 Victory Boulevard, Suite 265,
2 Woodland Hills, California 91303.

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4 2. As required by California Financial Code section 17209(g), Caliber submitted with its
5 application, a Statement of Identity and Questionnaire (“SIQ”) for its proposed escrow manager,
6 Tamaryn Finazzo (“T. Finazzo”). T. Finazzo executed the SIQ under penalty of perjury. T. Finazzo
7 represented in the SIQ that she had been employed as an escrow officer since August 1991 at The
8 Escrow Cheque Corp., an escrow agent licensed by the Commissioner under the California Escrow
9 Law.

10 3. On or about April 1, 2004, T. Finazzo submitted an Escrow Agent Manager
11 Questionnaire (“EAMQ”) as required by California Financial Code section 17209(d). T. Finazzo
12 executed the EAMQ under penalty of perjury. T. Finazzo represented in the EAMQ that she had
13 been employed as an escrow officer at The Escrow Cheque Corp. from April 1998 through October
14 2003, and that the contact person at The Escrow Cheque Corp. was escrow officer, Joanne Allen.
15 T. Finazzo further represented in the EAMQ that she had been employed as an escrow officer at
16 Diversified Title (formerly Southcoast Title) from July 1989 to August 1991.

17 4. The employment history of T. Finazzo as represented on the SIQ and EAMQ filed
18 with the Commissioner disclosed sufficient escrow experience on the part of T. Finazzo to meet the
19 escrow manager qualifications set forth in California Financial Code section 17200.8.

20 5. On or about April 1, 2004, the Commissioner received unsolicited an employment
21 verification from a Joanne Allen at The Escrow Cheque Corp. The employment verification was
22 executed by a Joanne Allen and represented that T. Finazzo had been employed as an escrow officer
23 with The Escrow Cheque Corp. from April 1998 to October 1999 and then again from July 2001
24 through the present. Joanne Allen is an alias used by Joanne Finazzo (“J. Finazzo”), T. Finazzo’s
25 mother.

26 6. The Commissioner’s investigation into the application disclosed that T. Finazzo did
27 not meet the qualifications for an escrow manager established by California Financial Code section
28 17200.8, and that T. Finazzo and J. Finazzo had made false statements to the Commissioner in the
SIQ, EAMQ and employment verification, respectively, in violation of California Financial Code

1 section 17702.

2 7. The SIQ and EAMQ executed by T. Finazzo in connection with the application were
3 false in that (i) T. Finazzo had only been employed as an escrow officer at The Escrow Cheque
4 Corp. from July 2001 through April 9, 2004¹, (ii) Joanne Allen, the contact person named by T.
5 Finazzo for The Escrow Cheque Corp. employment verification was an alias to be used by J. Finazzo
6 for purposes of executing the employment verification, and (iii) T. Finazzo had been employed as an
7 escrow officer for Diversified Title from February 2000 to June 2001, not July 1989 to August 1991.

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9 8. The employment verification executed and submitted by J. Finazzo was false in that
10 (i) T. Finazzo had only been employed as an escrow officer at The Escrow Cheque Corp. from July
11 2001 through April 9, 2004, (ii) Joanne Allen is not J. Finazzo’s name, and (iii) J. Finazzo did not
12 possess the authority to execute any employment verification on behalf of The Escrow Cheque Corp.

13
14 9. California Financial Code section 17702 provides:

15 It is unlawful for any person to willfully make any untrue statement
16 of a material fact in any application, notice, or report filed with the
17 commissioner under this division or the regulations issued thereunder,
18 or to willfully omit any material fact which is required to be stated in
19 any application, notice, or report.

20 **II**

21 California Financial Code Section 17423 provides in pertinent part:

22 (a) The commissioner may, after appropriate notice and opportunity for
23 hearing, by order, . . . bar from any position of employment, management, or
24 control any escrow agent, or any other person, if the commissioner finds either
25 of the following:

26 (1) That the . . . bar is in the public interest and that the person has
27 committed or caused a violation of this division or rule or order of
28 the commissioner, which violation was either known or should have
been known by the person committing or causing it or has caused material
damage to the escrow agent or to the public.

¹ T. Finazzo had previously been employed by The Escrow Cheque Corp. from April 1998 through October 1999, but in the capacity of escrow secretary, which does not qualify as experience for an escrow manager position.

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III

Complainant finds that, by reason of the foregoing, Respondents have violated section 17702 of the Financial Code and it is in the best interests of the public to bar Respondents from any position of employment, management or control of any escrow agent.

WHEREFORE, IT IS PRAYED that Respondents T. Finazzo and J. Finazzo be barred from any position of employment, management or control of any escrow agent.

Dated: July 19, 2004
Los Angeles, CA

WILLIAM P. WOOD
California Corporations Commissioner

By _____
Judy L. Hartley
Senior Corporations Counsel