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6 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of the Accusation of THE) File No.: 963-1834
COMMISSIONER OF BUSINESS)
12 OVERSIGHT,) ACCUSATION
13)
Complainant,)
14)
vs.)
15)
16 NOE F. GONZALEZ,)
Respondent.)
17)
18)
19)

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

22 I

23 Respondent Noe F. Gonzalez ("Gonzalez") was, at all times relevant herein, an escrow
24 officer at Escrow Today, Inc. ("Escrow Today"), an escrow agent licensed by the Commissioner of
25 Business Oversight ("Commissioner" or "Complainant") pursuant to the Escrow Law of the State of
26 California (Fin. Code, § 17000 et seq.). Escrow Today has its principal place of business located at
27 131 N. Crossroads Parkway, City of Industry, California 91746.
28

II

On or about May 12, 2012, the Commissioner, by and through staff, commenced a special examination of Escrow Today to review certain escrow files handled by Gonzalez. The special examination disclosed that Gonzalez had violated the Escrow Law in at least four escrows as follows:

1. Escrow Number 68097-NG:

(a) On or about August 23, 2007, Gonzalez made an unauthorized disbursement of trust funds to an A. Zandejas in the amount of \$1,500 via trust check number 89109 in violation of Financial Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2 in that there was no instruction authorizing this disbursement.

(b) On or about August 23, 2007, Gonzalez violated Financial Code sections 17420 and 17421 by disbursing loan commissions/fees in the respective amounts of \$3,000 and \$1,500 via trust check numbers 89108 and 89109 prior to close of escrow.

2. Escrow Number 67963-NG:

(a) On or about August 8, 2007, Gonzalez violated Financial Code sections 17420 and 17421 by disbursing loan commissions/fees in the respective amounts of \$1,500 and \$2,835 via trust check numbers 88626 and 88648 prior to close of escrow.

(b) On or about August 9, 2007, Gonzalez further violated Financial Code sections 17420 and 17421 by disbursing a further loan commission in the amount of \$13,000 via wire transfer prior to close of escrow.

3. Escrow Number 67913-NG:

(a) On or about July 31, 2007, Gonzalez made an unauthorized disbursement of trust funds to an A. Vidal in the amount of \$2,400 via wire transfer in violation of Financial Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2 in that there was no instruction authorizing this disbursement.

4. Escrow Number 67739-NG:

(a) On or about August 2, 2007, Gonzalez violated Financial Code sections 17420 and 17421 by disbursing loan commissions/fees in the amount of \$1,500 via trust check number 88500

1 prior to close of escrow.

2 III

3 Financial Code section 17423 provides in pertinent part:

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

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

13 IV

14 Complainant finds that, by reason of the foregoing, Respondent Noe F. Gonzalez has violated
15 Financial Code sections 17414(a)(1) and 17420 and California Code of Regulations, title 10,
16 sections 1738 and 1738.2 and it is in the best interests of the public to bar Respondent Noe F.
17 Gonzalez from any position of employment, management or control of any escrow agent.

18 WHEREFORE, IT IS PRAYED that Respondent Noe F. Gonzalez be barred from any
19 position of employment, management or control of any escrow agent.

20 Dated: October 14, 2014
21 Los Angeles, CA

JAN LYNN OWEN
Commissioner of Business Oversight

22 By _____
23 Judy L. Hartley
24 Senior Corporations Counsel