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7 Attorneys for Complainant

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

11 In the Matter of:	)	
12 THE COMMISSIONER OF BUSINESS	)	ORDER BARRING DORIAN P. BAKER, AKA
13 OVERSIGHT,	)	DORIAN YOUNG FROM ANY POSITION OF
14 Complainant,	)	EMPLOYMENT, MANAGEMENT OR
15 v.	)	CONTROL OF ANY ESCROW AGENT
16 DORIAN P. BAKER, aka DORIAN YOUNG,	)	
17 Respondent.	)	
18	)	
19	)	

20 The Commissioner of Business Oversight (Commissioner) finds that:

- 21 1. Dorian P. Baker, aka Dorian Young (Baker), was employed as an escrow officer at
- 22 Ontitle Escrow, Inc. (Ontitle), an escrow agent licensed by the Commissioner pursuant to the
- 23 Escrow Law (Fin. Code § 17000 et seq.).
- 24 2. Ontitle has its principle place of business located at 200 East Sandpointe Avenue,
- 25 Suite 510, Santa Ana, California 92707.
- 26 3. On October 11, 2016, Ontitle notified the Commissioner that Baker, a former escrow
- 27 officer, had misapplied \$4,321.68 in escrow funds. Baker had issued and paid funds to unrelated
- 28 parties in at least eight escrow transactions.

1           4.       On October 13, 2016, the Commissioner commenced a special examination of the  
2 escrow files handled by Baker, which revealed that Baker disbursed escrow funds from at least eight  
3 escrow files to other unrelated escrows and parties without any written authorization. In addition,  
4 Baker comingled California escrow funds with transactions from other states.

5           5.       The unauthorized disbursements of escrow funds, in the amount of \$4,321.68, were  
6 made from 2014 to 2016, during Baker's employment with Ontitle. Below is a table of the  
7 unauthorized disbursements of escrow funds:

<u>Escrow #</u>	<u>Amount</u>	<u>Date(s) Cleared</u>	<u>Wire/Ck. Issued to</u>
14-01396	\$1,267.50	02/06/2015	14AZ-00017
		03/13/2015	15MD-00005
		04/13/2015	15WA-00354
15-02032	\$450.00	05/11/2015	15-02056
		06/02/2015	14-01600
		12/29/2015	15-02955
14-01454	\$1,051.00	01/11/2016	15-03073
		03/02/2016	15AZ-00078
14-01712	\$1,090.60	06/03/2015	15-01933
		06/22/2015	15-01892
		06/22/2015	15-02132
		06/22/2015	15-00320
14-01366	\$17.58	03/02/2016	16AZ-00136
2015MD-00015	\$25.00	02/05/2016	15-03093
2013-00297	\$375.00	04/29/2014	14-00744
14AZ-00025	<u>\$45.00</u>	12/18/2015	15-02871
Total	\$4,321.68		

26           6.       Under Financial Code section 17414, subdivision (a)(1), and California Code of  
27 Regulations, title 10, sections 1738 and 1738.2, escrow funds shall not be disbursed unless  
28 authorized by the principal(s) to the escrow transaction. Baker disbursed escrow funds from closed

1 escrows with a balance to unrelated escrows and parties without proper authorization. Below are  
2 some examples of the unauthorized disbursements:

3 (a) Escrow #14-01396

4 On November 14, 2014, escrow number 14-01396 received a wire in the amount of  
5 \$1,966.01 to be credited to the borrowers. In February, March and April 2015, Baker made three  
6 unauthorized disbursements in the total amount of \$1,267.50 to unrelated escrows, escrow numbers  
7 14AZ-00017, 15MD-00005, and 15WA-00354, without any written authorization from the  
8 principals of escrow number 14-01396 authorizing the disbursements.

9 (b) Escrow #15-02032

10 On March 12, 2015, escrow number 15-02032 received a wire in the amount of \$1,906.67 to  
11 be credited to the borrowers. In May and December 2015, Baker made three unauthorized  
12 disbursements in the total amount of \$450.00 to three unrelated escrows, escrow numbers 15-02056,  
13 14-01600, and 15-02955, without any written authorization from the principals of escrow number  
14 15-02032 authorizing the disbursements.

15 (c) Escrow #14-01454

16 On November 26, 2014, escrow number 14-01454 received a wire in the amount of  
17 \$2,297.90 to be credited to the borrowers. In January and March 2016, Baker made two  
18 unauthorized disbursements in the total amount of \$1,051.00 to unrelated escrows, escrow numbers  
19 15-03073 and 15AZ-00078, without any written authorization from the principals of escrow number  
20 14-01454 authorizing the disbursements.

21 (d) Escrow #14-01712

22 On January 27, 2015, escrow number 14-01712 received a wire in the amount of \$1,839.41  
23 to be credited to the borrowers. In June 2015, Baker made four unauthorized disbursements in the  
24 total amount of \$1,090.60 to unrelated escrows, escrow numbers 15-01933, 15-01892, 15-02132 and  
25 15-00320, without any written authorization from the principals of escrow number 14-01712  
26 authorizing the disbursements.

27 (e) Escrow #14-01366

28 On October 31, 2014, escrow number 14-01366 received a wire in the amount of \$11,606.95

1 to be credited to the borrowers. In March 2016, Baker made an unauthorized disbursement in the  
2 total amount of \$17.58 to an unrelated escrow, number 16AZ-00136, without any written  
3 authorization from the principals of escrow number 14-01366 authorizing the disbursement.

4 (f) Escrow #2015MD-00015

5 On February 5, 2016, Baker made an unauthorized disbursement in the total amount of  
6 \$25.00 to an unrelated escrow, escrow number 15-03093, without any written authorization from the  
7 principals of escrow number 2015MD-00015 authorizing the disbursement.

8 (g) Escrow #2013-00297

9 In April 2014, Baker made an unauthorized disbursement in the total amount of \$375.00 to  
10 an unrelated escrow, escrow number 14-00744, without any written authorization from the principals  
11 of escrow number 2013-00297 authorizing the disbursement.

12 (h) Escrow #14AZ-00025

13 In December 2015, Baker made an unauthorized disbursement in the total amount of \$45.00  
14 to an unrelated escrow, escrow number 15-02871, without any written authorization from the  
15 principals of escrow number 14AZ-00025 authorizing the disbursement.

16 7. On July 25, 2017, the Commissioner issued a Notice of Intention to bar Baker from  
17 any position of employment, management or control of any escrow agent, Accusation and  
18 accompanying documents against Baker. Baker was personally served with those documents on  
19 August 1, 2017.

20 8. The Commissioner has not received a request for a hearing and the statutory time to  
21 request a hearing has expired.

22 9. The above-described violations constitute grounds under Financial Code section  
23 17423 to bar a person from any position of employment, management or control of any escrow  
24 agent.

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1            THEREFORE, it is hereby ordered that Dorian P. Baker, aka Dorian Young, is barred from  
2 any position of employment, management or control of any escrow agent. This Order is effective as  
3 of the date hereof.

4 Dated: August 29, 2017  
5 Sacramento, California

JAN LYNN OWEN  
Commissioner of Business Oversight

6  
7 By \_\_\_\_\_  
8 Mary Ann Smith  
9 Deputy Commissioner  
10 Enforcement Division  
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