

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 BLAINE A. NOBLETT (BAR NO. 235612)
Corporations Counsel
4 320 West 4th Street, Suite 750
Los Angeles, California 90013-2344
5 Telephone: (213) 576-1396 Fax: (213) 576-7181
6 Attorneys for Complainant

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

10 In the Matter of the Petition for Reinstatement) File No.: 963-0003
11 of:)
12 CHRISTOPHER ALLEN RUSSELLO) **ORDER DENYING PETITION FOR**
13) **REINSTATEMENT (Govt. Code, § 11522)**
14)
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16)

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18 TO: EDMUND G. BROWN, JR.
ATTORNEY GENERAL, STATE OF CALIFORNIA
19 California Department of Justice
20 P.O. Box 944255
Sacramento, California 94244-2550

21 CHRISTOPHER ALLEN RUSSELLO
22 463 N. Carmen Drive
23 Camarillo, California 93010

24 Petitioner, Christopher Allen Russello ("Russello"), has filed a petition for reinstatement of
25 position of employment, management or control of an escrow agent from which Russello was barred
26 in proceedings entitled *In the Matter of the Accusation of the Commissioner of Corporations of the*
27 *State of California v. Christopher Allen Russello*, OAH Case No. L-56593. This agency having
28 considered the petition and written argument, finds that:

1 Petitioner is not entitled to reinstatement of employment, management or control of an escrow
2 agent for the following reasons:

3 1. Russello states in his petition that he "has previous [sic] worked as an escrow agent for
4 companies that are exempt from From [sic] licensing from [sic] the Commissioner . . . No previous
5 [sic] and/or current complaints are against RUSSELLO." Despite this assertion, Russello fails to
6 name those companies for whom he worked as an escrow agent, the dates of his employment, and the
7 positions he held while so employed. In addition to these omissions of fact, Russello fails to provide
8 any letters of support from his former employers to aid his claim of rehabilitation.

9 2. Russello has attempted no educational training, which would assist in his
10 rehabilitation process, other than what he was absolutely required to undertake to maintain his real
11 estate broker's license. Additionally, the main focus of those courses Russello is required to take in
12 connection with his broker's license concern subjects relating to real estate sales and not issues
13 pertinent to the independent escrow industry, such as escrow processing and handling and accounting
14 of trust funds under the California Escrow Law (Fin. Code, §§ 17000 et seq.) ("Escrow Law").
15 Russello has not otherwise demonstrated that he will not violate the Escrow Law and/or orders issued
16 thereunder in the future, or that he will possess the technical skills or knowledge of the policies,
17 procedures, and controls necessary to competently be employed with, or manage or control an escrow
18 agent, in compliance with the Escrow Law and/or orders issued thereunder.

19 3. Furthermore, Russello's violations of the Escrow Law, as set forth in the findings of
20 the Administrative Law Judge in the proceedings entitled *In the Matter of the Accusation of the*
21 *Commissioner of Corporations of the State of California v. Christopher Allen Russello*, are of such an
22 egregious nature because he was found to have knowingly disbursed or caused the disbursal of trust
23 funds otherwise than in accordance with the escrow instructions in violation of Financial Code
24 section 17414, subdivision (a), knowingly abstracted or misappropriated trust funds in violation of
25 Financial Code section 17414, subdivision (b), and knowingly paid out money from escrow accounts
26 in excess of the credit balance of such escrow accounts in violation of California Code of
27 Regulations, Title 10, section 1738.1, amongst other violations. Russello fails to demonstrate, by
28 way of his petition and written argument, that he no longer poses a threat to the public given his past

1 misconduct.

2 4. In light of the foregoing, Russello has offered no evidence to demonstrate that he has
3 been sufficiently rehabilitated. Moreover, he has failed to show that he is presently capable of
4 holding a position of employment, management or control of an escrow company.

5 WHEREFORE, IT IS ORDERED that the Petition be denied.

6 DATED: January 6, 2010
7 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

8 By _____
9 Alan S. Weinger
10 Deputy Commissioner
11 Enforcement Division
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2 ALAN S. WEINGER
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6 Attorneys for Complainant

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

10 In the Matter of the Petition for Reinstatement)
11 of:) File No.: 963-0003
12 CHRISTOPHER ALLEN RUSSELLO) **NOTICE OF PETITION FOR**
13) **REINSTATEMENT (Govt. Code, § 11522)**
14)
15)
16)

17
18 TO: EDMUND G. BROWN, JR.
ATTORNEY GENERAL, STATE OF CALIFORNIA
19 California Department of Justice
20 P.O. Box 944255
Sacramento, California 94244-2550

21 CHRISTOPHER ALLEN RUSSELLO
22 463 N. Carmen Drive
23 Camarillo, California 93010

24 Pursuant to Government Code section 11522, you are hereby notified that on October 20,
25 2009, Respondent, Christopher Allen Russello ("Russello"), filed a Petition for Reinstatement for
26 Employment, Management, or Control of Any Escrow Agent with the California Corporations
27 Commissioner ("Commissioner"). A true and correct copy of the Petition is attached and
28 incorporated herein as Exhibit '1.'

1 On November 2, 1992, Russello was barred from the escrow industry by the Office
2 Administrative Hearings in proceedings entitled, *In the Matter of the Accusation of the Commissioner*
3 *of Corporations of the State of California v. Christopher Allen Russello*, OAH Case No. L-56953.
4 The Commissioner adopted the hearing officer's decision on November 5, 1992. A true and correct
5 copy of the Adopted Decision is attached and incorporated herein as Exhibit '2.'

6 Respondent, Rusello, previously filed a Petition for Reinstatement for Employment,
7 Management, or Control of Any Escrow Agent with the Commissioner on January 17, 1996. A true
8 and correct copy of the Notice of Petition for Reinstatement, dated January 22, 1996, is attached and
9 incorporated herein as Exhibit '3.' Respondent's January 17, 1996 Petition was denied by the
10 Commissioner on February 5, 1996. A true and correct copy of the Commissioner's Order Denying
11 Russello's January 17, 1996 Petition for Reinstatement is attached and incorporated herein as Exhibit
12 '4.'

13 YOU ARE FURTHER NOTIFIED that written argument may be presented in this matter and
14 should be received by the Department of Corporations **on or before December 29, 2009**, at its
15 offices located at 320 West 4th Street, Suite 750, Los Angeles, California 90013-11505, to the
16 attention of Blaine A. Noblett, Corporations Counsel.

17 The Commissioner shall render his decision in this matter on or before January 28, 2010.

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19 DATED: November 24, 2009
20 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Blaine A. Noblett
Corporations Counsel
Enforcement Division

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1 MARY ANN SMITH
Deputy Commissioner
2 BLAINE A. NOBLETT (BAR NO. 235612)
Senior Corporations Counsel
3 DEPARTMENT OF CORPORATIONS
320 West 4th Street, Suite 750
4 Los Angeles, California 90013-2344
Telephone: (213) 576-1396 Fax: (213) 576-7181
5 Attorneys for Complainant

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

10 In the Matter of the Petition for Reinstatement) File No.: Alpha
11 of:)
12 CHRISTOPHER ALLEN RUSSELLO) **NOTICE OF PETITION FOR**
13) **REINSTATEMENT**
14) **(Govt. Code, § 11522)**
15)
16)

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18 TO: KAMALA D. HARRIS
ATTORNEY GENERAL, STATE OF CALIFORNIA
19 California Department of Justice
20 P.O. Box 944255
Sacramento, California 94244-2550

21 CHRISTOPHER ALLEN RUSSELLO
22 28211 Village 28
23 Camarillo, California 93012

24 Pursuant to Government Code section 11522, you are hereby notified that on April 15, 2013,
25 Respondent, Christopher Allen Russello ("Russello"), filed a Petition for Reinstatement for
26 Employment, Management, or Control of Any Escrow Agent with the California Commissioner of
27 Corporations ("Commissioner"). A true and correct copy of the Petition is attached and incorporated
28 herein as Exhibit 1.

1 On November 2, 1992, Russello was barred from the escrow industry by the Office
2 Administrative Hearings in proceedings entitled, *In the Matter of the Accusation of the Commissioner*
3 *of Corporations of the State of California v. Christopher Allen Russello*, OAH Case No. L-56953.
4 The Commissioner adopted the hearing officer's decision on November 5, 1992. A true and correct
5 copy of the Adopted Decision is attached and incorporated herein as Exhibit 2.

6 Respondent, Russello, previously filed a Petition for Reinstatement for Employment,
7 Management, or Control of Any Escrow Agent with the Commissioner on October 19, 2011, which
8 the Commissioner denied on December 29, 2011. A true and correct copy of the Order Denying
9 Petition for Reinstatement, dated December 29, 2011, is attached and incorporated herein as Exhibit
10 3.

11 YOU ARE FURTHER NOTIFIED that written argument may be presented in this matter and
12 should be received by the Department of Corporations on or before June 14, 2013, at its offices
13 located at 320 West 4th Street, Suite 750, Los Angeles, California 90013-11505, to the attention of
14 Blaine A. Noblett, Senior Corporations Counsel.

15 The Commissioner shall render her decision in this matter on or before July 15, 2013.

16 DATED: April 25, 2013
17 Los Angeles, CA

JAN LYNN OWEN
California Commissioner of Corporations

19 By _____
20 Blaine A. Noblett
21 Senior Corporations Counsel
22 Enforcement Division
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1 ALAN S. WEINGER
Deputy Commissioner
2 BLAINE A. NOBLETT (BAR NO. 235612)
Senior Corporations Counsel
3 DEPARTMENT OF CORPORATIONS
320 West 4th Street, Suite 750
4 Los Angeles, California 90013-2344
Telephone: (213) 576-1396 Fax: (213) 576-7181
5 Attorneys for Complainant

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

10 In the Matter of the Petition for Reinstatement)
of:)
11 CHRISTOPHER ALLEN RUSSELLO)
12)
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15)
16)

File No.: 963-0003

ORDER DENYING PETITION FOR REINSTATEMENT (Govt. Code, § 11522)

17 TO: KAMALA D. HARRIS
18 ATTORNEY GENERAL, STATE OF CALIFORNIA
California Department of Justice
19 P.O. Box 944255
20 Sacramento, California 94244-2550

21 CHRISTOPHER ALLEN RUSSELLO
22 25223 Village 25
23 Camarillo, California 93012

24 Petitioner, Christopher Allen Russello ("Russello"), has filed a petition for reinstatement of
25 position of employment, management or control of an escrow agent from which Russello was barred
26 in proceedings entitled *In the Matter of the Accusation of the Commissioner of Corporations of the*
27 *State of California v. Christopher Allen Russello*, OAH Case No. L-56593. This agency having
28 considered the petition and written argument, finds that:

1 Petitioner is not entitled to reinstatement of employment, management or control of an escrow
2 agent for the following reasons:

3 1. Russello states in his petition that “in the past several years [he] has been
4 employed as an escrow agent for various title insurance companies and real estate brokers that are
5 exempt from the licensing of the Department of Corporations as per financial code section [sic].”
6 Despite this assertion, Russello fails to name those companies for whom he has worked as an escrow
7 agent, the dates of his employment, and the positions he held while so employed. In addition to these
8 omissions of fact, Russello fails to provide any letters of support from his former employers to aid his
9 claim of rehabilitation. The only proof of rehabilitation Russello offers are his own self-serving
10 statements, including his assertion that he “poses no threat of public safety, [and] therefore
11 Respondent has been completely rehabilitated . . .” Russello fails to provide any independent
12 corroborating evidence in support of his claim of rehabilitation.

13 2. Russello has attempted no educational training, which would assist in his
14 rehabilitation process, other than what he was absolutely required to undertake to maintain his real
15 estate broker's license. Additionally, the main focus of those courses Russello is required to take in
16 connection with his broker's license concern subjects relating to real estate sales and not issues
17 pertinent to the independent escrow industry, such as escrow processing and handling and accounting
18 of trust funds under the California Escrow Law (Fin. Code, § 17000 et seq.) ("Escrow Law").
19 Russello has not otherwise demonstrated that he will not violate the Escrow Law and/or orders issued
20 thereunder in the future, or that he will possess the technical skills or knowledge of the policies,
21 procedures, and controls necessary to competently be employed with, or manage or control an escrow
22 agent, in compliance with the Escrow Law and/or orders issued thereunder.

23 3. Furthermore, Russello's violations of the Escrow Law, as set forth in the findings of
24 the Administrative Law Judge in the proceedings entitled *In the Matter of the Accusation of the*
25 *Commissioner of Corporations of the State of California v. Christopher Allen Russello*, are of such an
26 egregious nature because he was found to have knowingly disbursed or caused the disbursement of trust
27 funds otherwise than in accordance with the escrow instructions in violation of Financial Code
28

1 section 17414, subdivision (a), knowingly abstracted or misappropriated trust funds in violation of
2 Financial Code section 17414, subdivision (b), and knowingly paid out money from escrow accounts
3 in excess of the credit balance of such escrow accounts in violation of California Code of
4 Regulations, Title 10, section 1738.1, amongst other violations. As indicated above, Russello fails to
5 demonstrate, by way of his petition and written argument, that he no longer poses a threat to the
6 public given his past misconduct.

7 4. In light of the foregoing, Russello has offered no evidence to demonstrate that he has
8 been sufficiently rehabilitated. Moreover, he has failed to show that he is presently capable of
9 holding a position of employment, management or control of an escrow company.

10 WHEREFORE, IT IS ORDERED that the Petition be denied.

11 DATED: December 29, 2011
12 Los Angeles, CA

13 JAN LYNN OWEN

14 California Corporations Commissioner

15 By _____
16 Alan S. Weinger
17 Deputy Commissioner
18 Enforcement Division
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