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

10  
11 In the Matter of THE COMMISSIONER OF )  
BUSINESS OVERSIGHT, )

File No. 963-2533

12 )  
13 Complainant, )

14 vs. )

**ORDER TO DISCONTINUE ESCROW  
ACTIVITIES UNDER FINANCIAL CODE  
SECTION 17415**

15 )  
16 SUNSET ONE ESCROW, INC., )

17 )  
18 Respondent. )  
19 )  
20 )

21 TO: SUNSET ONE ESCROW, INC.  
22 29970 Technology Dr., Suite 217  
Murrieta, California 92563

23 THE COMMISSIONER OF BUSINESS OVERSIGHT (“Commissioner”) FINDS THAT:

24 1. Sunset One Escrow, Inc. (“Sunset One”), a California-licensed escrow agent, has had  
25 an ongoing liquid asset deficiency since at least December 31, 2013, in violation of Financial Code  
26 section 17210. On December 31, 2013, the liquid asset deficiency was \$79,350.00.

27 2. According to the most recently provided financial statements dated October 31, 2014,  
28 Sunset One had a liquid asset deficiency of \$56,985.76.

1           3.       Sunset One failed to correct the deficiency despite repeated demands by the  
2 Commissioner.

3           4.       On July 3, 2014, the Commissioner issued a letter to Sunset One stating that the  
4 failure to cure the liquid asset deficiency within 30 days could result in the suspension of Sunset  
5 One's license.

6           5.       Sunset One responded on July 18, 2014, requesting a 90-day extension of time to  
7 comply. The Commissioner took no action for 90 days, however, Sunset One did not cure during this  
8 time.

9           6.       On November 4, 2014, the Commissioner issued a second letter regarding the liquid  
10 asset deficiency, demanding proof of correction within 10 days and reiterating that the failure to  
11 comply could result in the suspension of Sunset One's license.

12          7.       Sunset One responded on November 12, 2014, again requesting an extension of time  
13 until December 31, 2014, to cure the liquid asset deficiency. The Commissioner granted this request  
14 on November 21, 2014, but indicated that no further extensions would be granted and failure to  
15 timely comply would result in administrative action to suspend Sunset One's license.

16          8.       As of the date of this Order, Sunset One has not cured the liquid asset deficiency.

17               Based on the foregoing, Sunset One has failed to maintain the required liquid assets as set  
18 forth in Financial Code section 17210 and is conducting its escrow business in such an unsafe and  
19 injurious manner as to render further operations hazardous to the public or to customers.

20               Financial Code section 17415 provides as follows:

21                   (a) If the commissioner, as a result of any examination or from any  
22 report made to him or her, shall find that any person subject to this  
23 division is in an insolvent condition, is conducting escrow business in  
24 such an unsafe or injurious manner as to render further operations  
25 hazardous to the public or to customers, has failed to comply with the  
26 provisions of Section 17212.1 or 17414.1, has permitted its tangible  
27 net worth to be lower than the minimum required by law, has failed to  
28 maintain its liquid assets in excess of current liabilities as set forth in  
Section 17210, or has failed to comply with the bonding requirements  
of Chapter 2 (commencing with Section 17200) of this division, the  
commissioner may, by an order addressed to and served by registered  
or certified mail or by personal service on such person and on any  
other person having in his or her possession or control any escrowed

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funds, trust funds or other property deposited in escrow with said person, direct discontinuance of the disbursement of trust funds by the parties or any of them, the receipt of trust funds, the delivery or recording of documents received in escrow, or other business operations. No person having in his or her possession any of these funds or documents shall be liable for failure to comply with the order unless he or she has received written notice of the order. Subject to subdivision (b), the order shall remain in effect until set aside by the commissioner in whole or in part, the person is the subject of an order for relief in bankruptcy, or pursuant to Chapter 6 (commencing with Section 17621) of this division the commissioner has assumed possession of the escrow agent.

(b) Within 15 days from the date of an order pursuant to subdivision (a), the person may request a hearing under the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Division 3 of Title 2 of the Government Code. Upon receipt of a request, the matter shall be set for hearing to commence within 30 days after such receipt unless the person subject to this division consents to a later date. If no hearing is requested within 15 days after the mailing or service of such notice and none is ordered by the commissioner, the failure to request a hearing shall constitute a waiver of the right to a hearing. Neither the request for a hearing nor the hearing itself shall stay the order issued by the commissioner under subdivision (a).

NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING THEREFORE, it is hereby ORDERED, under the provisions of Financial Code section 17415, that Sunset One immediately discontinue acceptance of any new escrow or joint control business, and of money, documents or other property in connection therewith.

This order is to remain in full force and effect until further order of the Commissioner.

Dated: January 22, 2015  
Los Angeles, CA

JAN LYNN OWEN  
Commissioner of Business Oversight

By \_\_\_\_\_  
Mary Ann Smith  
Deputy Commissioner  
Enforcement Division