

1 PRESTON DuFAUCHARD  
California Corporations Commissioner  
2 ALAN S. WEINGER  
Acting Deputy Commissioner  
3 JUDY L. HARTLEY (CA BAR NO. 110628)  
Senior Corporations Counsel  
4 Department of Corporations  
320 West 4<sup>th</sup> Street, Ste. 750  
5 Los Angeles, California 90013-2344  
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6 Attorneys for Complainant

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

10  
11 In the Matter of the Petition for Reinstatement ) File No.: 963-1041  
of: )  
12 ) ORDER DENYING PETITION FOR  
13 MELINDA JEANNE SINAY aka MINDY ) REINSTATEMENT  
SINAY )  
14 )  
15 )  
16 )  
17 )

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

21  
22 Melinda Jeanne Sinay aka Mindy Sinay  
23 P.O. Box 6332  
24 La Quinta, California 92248

25 Petitioner, Melinda Jeanne Sinay aka Mindy Sinay, having filed a petition for reinstatement  
26 regarding the January 23, 1997 order barring Petitioner from any position of employment,  
27 management or control of an escrow agent issued in proceedings brought by the California  
28 Corporations entitled In the Matter of the Commissioner of Corporations of the State of California v.

1 Melinda Jeanne Sinay aka Mindy Sinay; the petition having been considered, no further arguments  
2 having been filed by Petitioner despite ample opportunity to do so, this agency finds that:

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

5           1.       Petitioner has not demonstrated that she even comprehends the reasons for the  
6 January 23, 1997 bar action. Petitioner, in her petition, goes on at length discussing Regulation X  
7 and charging escrow fees to builders. However, the reasons for the bar against Petitioner involved  
8 Petitioner’s numerous unauthorized disbursements from the escrow trust account, the issuance of  
9 non-sufficient fund checks to trust account from general account when attempting to cure the trust  
10 account shortages caused by the unauthorized disbursements, and failure to maintain proper books  
11 and records of such transactions, which caused Profile Escrow, Inc. to be seized by the Department  
12 of Corporations and placed into conservatorship.

13           2.       Petitioner has not accepted responsibility for the continuous and repeated escrow law  
14 violations directly related to the employment, management and control of an escrow agent that she  
15 committed while she was the sole shareholder, president, escrow manager and a director of Profile  
16 Escrow, Inc.

17           3.       Petitioner appears to have attempted no educational training, which could have  
18 benefited in a rehabilitation process or otherwise demonstrated that she possesses the technical skills  
19 or knowledge of the policies, procedures, and controls necessary to competently be employed,  
20 manage and/or control an escrow agent in compliance with the Escrow Law, so as to ensure that the  
21 same problems did not recur in the future.

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

23 Dated: November 17, 2008  
24       Los Angeles, Ca

PRESTON DuFAUCHARD  
California Corporations Commissioner

25 By \_\_\_\_\_  
26       Alan S. Weinger  
27       Lead Corporations Counsel  
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