

1 PRESTON DuFAUCHARD  
California Corporations Commissioner  
2 WAYNE STRUMPFER  
Deputy Commissioner  
3 ALAN S. WEINGER (CA BAR NO. 86717)  
Lead Corporations Counsel  
4 AFSANEH EGHBALDARI (CA BAR NO. 250107)  
Corporations Counsel  
5 Department of Corporations  
1350 Front Street, Room 2034  
6 San Diego, California 92101  
Telephone: (619) 645-3166  
7 Fax: (619) 525-4045

8 Attorneys for Complainant

9  
10 BEFORE THE DEPARTMENT OF CORPORATIONS  
11 OF THE STATE OF CALIFORNIA

12 In the Matter of the Accusation of THE ) File No.: 963-2047  
13 CALIFORNIA CORPORATIONS )  
14 COMMISSIONER, ) ORDER IMPOSING PENALTIES PURSUANT  
15 Complainant, ) TO CALIFORNIA FINANCIAL CODE  
16 vs. ) SECTION 17408  
17 TRANS UNION ESCROW SOLUTIONS OF )  
18 CALIFORNIA, INC., )  
19 Respondent. )

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21 TO: Trans Union Escrow Solutions of California, Inc.  
Att: Michael Dealy  
22 222 South Harbor Boulevard, 8<sup>th</sup> Floor  
23 Anaheim, California 92805

24 NOW THEREFORE the California Corporations Commissioner (“Commissioner”) having  
25 found that Trans Union Escrow Solutions of California, Inc. (“Respondent”) failed to file its annual  
26 audit report containing audited financial statements for its fiscal year ended December 31, 2006 and  
27 fiscal year ended December 31, 2007 as required by Financial Code section 17406, Trans Union  
28 Escrow Solutions of California, Inc. is hereby ordered, pursuant to Financial Code section 17408, to

1 pay to the Commissioner the sum of \$42,100.00, plus an additional \$100.00 a day for each day after  
2 June 9, 2008 that the annual audit report is not filed.

3 Pursuant to Financial Code section 17406, Respondent was required to submit its annual  
4 audit report for the fiscal year ended December 31, 2006 (“2006 audit report”) to the Commissioner  
5 on or before April 15, 2007. Furthermore, Respondent was required to submit its annual audit report  
6 for the fiscal year ended December 31, 2007 (“2007 audit report”) to the Commissioner on or before  
7 April 15, 2008.

8 On or about November 14, 2006, the Commissioner notified Respondent in writing that its  
9 2006 audit report was due April 15, 2007. Respondent failed to file the 2006 audit report by April  
10 15, 2007. On or about May 16, 2007, a follow up letter was sent to Respondent concerning its  
11 failure to file the 2006 audit report. Respondent was notified in the letter that failure to file the 2006  
12 audit report could result in assessment of penalties, a special examination and/or administrative  
13 action.

14 On or about November 13, 2007, the Commissioner notified Respondent in writing that its  
15 2007 audit report was due April 15, 2008. Respondent failed to file the 2007 audit report by April  
16 15, 2008. On or about May 8, 2008, a follow up letter was sent to Respondent concerning its failure  
17 to file the 2007 audit report. Respondent was notified in the letter that failure to file the 2007 audit  
18 report could result in assessment of penalties, a special examination and/or administrative action.

19 Respondent has yet to file the 2006 and 2007 audit report as required by Financial Code  
20 section 17406.

21 Financial Code Section 17408, subdivisions (b) – (e) provides as follows:

22 (b) The commissioner may impose, by order, a penalty on any person  
23 who fails, within the time specified in any written demand of the  
24 commissioner, (1) to make and file with the commissioner any report  
25 required by law or requested by the commissioner. . . . The amount of the  
26 penalty shall be one hundred dollars (\$100) for each day for the first five  
27 days the report or information is overdue and, thereafter, five hundred dollars  
28 (\$500) for each day the report or information is overdue.

(c) If, after an order has been made under subdivision (b), a request for  
hearing is filed in writing within 30 days of the date of service of the order  
by the person to whom the order was directed, a hearing shall be held  
in accordance with the Administrative Procedure Act, Chapter 5 (commencing

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with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted under that chapter.

(d) If the person fails to file a written request for a hearing within 30 days of the date of service of the order, the order imposing the penalty shall be deemed a final order of the commissioner, and the penalty shall be paid within five business days.

(e) If a hearing is requested, the penalty shall be paid within five business days after the effective date of any decision in the case ordering payment to be paid.

Dated: June 6, 2008  
Los Angeles, CA

PRESTON DuFAUCHARD  
California Corporations Commissioner

By \_\_\_\_\_  
Alan S. Weinger  
Lead Corporations Counsel