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California Corporations Commissioner
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10 BEFORE THE DEPARTMENT OF CORPORATIONS
11 OF THE STATE OF CALIFORNIA

12 File No. 963-1930

13
14 In the Matter of the Accusation of THE
CALIFORNIA CORPORATIONS
15 COMMISSIONER,

16
17 Complainant,

18
19 v.

20 ULTRA ESCROW, INC.,

21 Respondent.
22

ORDER IMPOSING PENALTIES PURSUANT
TO CALIFORNIA FINANCIAL CODE
SECTION 17408

23
24 TO: ULTRA ESCROW, INC.
25 143 Yorba Street
26 Tustin, CA 92780

27 NOW THEREFORE the California Corporations Commissioner (“Commissioner”) having found
28 that Ultra Escrow, Inc. failed to file its annual audit report containing audited financial statements

1 for its fiscal year ended April 30, 2007 as required by Financial Code section 17406, Ultra Escrow,
2 Inc. is hereby ordered, pursuant to Financial Code section 17408, to pay to the Commissioner the
3 sum of \$16,900.

4
5 Pursuant to Financial Code section 17406, Ultra Escrow, Inc. (“Ultra”) was required to
6 submit its annual audit report for the fiscal year ended April 30, 2007 (“2007 audit report”) to the
7 Commissioner on or before August 15, 2007.

8 On or about March 6, 2007, the Commissioner notified Ultra Escrow Inc. that its 2007 audit
9 report was due August 15, 2007. Ultra was notified in the letter that failure to file the 2007 audit
10 report could result in assessment of penalties starting at \$100 per day for the first five days and then
11 escalating to \$500 per day thereafter. It was further noted that failure to file could result in
12 suspension or revocation of the escrow agent’s license pursuant to Financial Code section 17602.5.

13 Ultra filed the audit report as required by Financial Code section 17406 one hundred and
14 sixty-nine (169) day late, or not until February 1, 2008.

15 Financial Code sections 17408 (b),(c),(d) and (e) provides as follows:

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

23 (c) If, after an order has been made under subdivision (b), a request for
24 hearing is filed in writing within 30 days of the date of service of the order
25 by the person to whom the order was directed, a hearing shall be held in
26 accordance with the Administrative Procedure Act, Chapter 5
27 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the
28 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.

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(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 made.

Dated: March 26, 2008

PRESTON DuFAUCHARD
California Corporations Commissioner

By: _____
ALAN S. WEINGER
Lead Corporations Counsel
California Department of Corporations