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BEFORE THE DEPARTMENT OF CORPORATIONS

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OF THE STATE OF CALIFORNIA

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In the Matter of the Accusation of THE
12 CALIFORNIA CORPORATIONS
COMMISSIONER,

) File No.: 963-1944
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) **ACCUSATION**
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Complainant,

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v.

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WEST ESCROW, INC.,

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Respondent.

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20 The Complainant is informed and believes, and based upon such information and belief,
21 alleges and charges Respondent as follows:

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I.

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Respondent West Escrow, Inc. ("West Escrow") is an escrow agent licensed by the
24 California Corporations Commissioner ("Commissioner" or "Complainant") pursuant to the Escrow
25 Law of the State of California (California Financial Code, § 17000 et seq.) ("Escrow Law").

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II.

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Pursuant to Financial Code section 17406, all licensees under the Escrow Law are required to
28 file an annual audit report containing audited financial statements ("audit report") within one hundred

1 five (105) days after the close of their fiscal year. West Escrow's fiscal year-end is February 28th.
2 Accordingly, West Escrow was required to file its audit report for the fiscal year ended February 28,
3 2007 on or before June 15, 2007.

4 On or about January 25, 2007, the Commissioner notified West Escrow in writing that its
5 audit report was due by June 15, 2007.

6 West Escrow has yet to submit the audit report as required by Financial Code section 17406.

7 **III.**

8 Financial Code section 17406, subdivision (a) provides:

9 (a) Each licensee shall submit to the commissioner, at such licensee's own
10 expense, an audit report containing audited financial statements covering the
11 calendar year or, if such licensee has an established fiscal year, then for such
12 fiscal year, within 105 days after the close of each such calendar or fiscal year.
At such time, each licensee shall also file such additional relevant information
as the commissioner may require.

13 Financial Code section 17602.5 provides in pertinent part as follows:

14 If any licensed escrow agent fails to make any reports required by law or by
15 the commissioner within ten (10) days from the date designated for the making
16 of the reports, or within any extension of time granted by the commissioner, . .
17 . such failure shall constitute grounds for the suspension or revocation of the
license held by such escrow agent.

18 Financial Code section 17608 provides in pertinent part:

19 The commissioner may, after notice and a reasonable opportunity to be heard,
20 suspend or revoke any license if he finds that:

21 (b) The licensee has violated any provision of this division or any rule
22 made by the commissioner under and within the authority of this division.

23 **IV.**

24 The Complainant finds that, by reason of the foregoing, West Escrow, Inc. has violated
25 Financial Code section 17406 which constitutes grounds for the suspension of its escrow agent's
26 license.

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2 WHEREFORE, IT IS PRAYED that the escrow agent's license of West Escrow, Inc. be
3 suspended for a period of two weeks, or until its annual audit report for the fiscal year ended
4 February 28, 2007 is filed, whichever is later

5 DATED: September 13, 2007
6 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

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By _____
Blaine A. Noblett
Corporations Counsel

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