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

11 In the Matter of:) ESCROW LICENSE NO.: 963-1155
12)
13 THE COMMISSIONER OF BUSINESS) ORDER BARRING SHANNON L. FIFE, aka
OVERSIGHT,) SHANNON L. PINEDA FROM ANY
14) POSITION OF EMPLOYMENT,
15 Complainant,) MANAGEMENT, OR CONTROL OF ANY
16) ESCROW AGENT
17 v.)
18)
19 SHANNON L. FIFE, aka SHANNON L.)
PINEDA,)
20 Respondent.)
21)
22)

23 The Commissioner of Business Oversight (Commissioner) finds:

24 I.

25 **Factual Findings and Violations of Law**

26 1. Mara Escrow Company (Mara) was an escrow agent licensed by the Commissioner
27 under the Escrow Law (Fin. Code, §17000 et seq.) on July 27, 1984.

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1 2. Mara surrendered its escrow agent’s license to the Commissioner on September 28,
2 2018.

3 3. At all times herein, Mara operated a branch office location at 15760 Ventura
4 Boulevard, Suite 100, Encino, California.

5 4. During the period February 29, 2012 through April 3, 2017, Mara employed Shannon
6 L. Fife, aka Shannon L. Pineda (Pineda) as an escrow officer and branch manager at its Encino
7 branch location.

8 5. As Mara’s branch manager, Pineda held a position of trust with Mara and was
9 responsible for ensuring all transactions handled by her and others employed at the Encino branch
10 remained compliant with the Escrow Law.

11 6. Pineda, as an escrow officer and branch manager, personally processed escrows from
12 start to finish, prepared closing statements as well as HUD-1 statements required by the lenders, and
13 made disbursements of trust funds as instructed by the escrow principals.

14 7. The Commissioner has concluded Pineda, while employed as Mara’s escrow officer
15 and branch manager, made 64 unauthorized disbursements of trust funds totaling \$169,953.22.

16 8. Using an ATM machine, Pineda deposited into her personal bank account trust checks
17 issued by her employer and made payable to others. The trust checks Pineda deposited into her
18 personal bank account lacked any endorsement from the rightful payees.

19 9. Pineda received the benefit of the trust checks she deposited into her personal bank
20 account.

21 10. Mara reported Pineda’s unauthorized disbursements of trust funds to the
22 Commissioner after it performed a post-closing audit that disclosed irregularities in trust checks
23 issued from Mara’s Encino branch office where Pineda was employed.

24 11. Mara’s review of Pineda’s unauthorized disbursements disclosed that many of the trust
25 checks Pineda deposited into her personal bank account represented refunded money received after
26 the close of escrow. For example, tax amounts that had not been refunded with the seller’s proceeds,
27 changes made to property tax proration after the close of escrow, title insurance refunds, money held
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1 for purposes of indemnity, and other miscellaneous charges incurred during escrow that were to be
2 refunded to the escrow principals.

3 12. The Commissioner's examiner's review of Mara's escrow files and Pineda's personal
4 bank records showed Pineda made the 64 unauthorized disbursements of trust funds from 42 escrow
5 files without written authorization totaling \$169,953.22, as follows.

6 13. Escrow File Number 8215010401-SP

7 Between October 13, 2015 and February 1, 2016, Pineda caused six unauthorized
8 disbursements of trust funds to be made from Mara escrow file number 8215010401-SP totaling
9 \$24,258.61 in violation of Financial Code section 17414, subdivision (a)(1). The six trust checks
10 Pineda deposited into her personal bank account ranged in amount from \$15.00 to \$9,800.00.

11 14. Escrow File Number 8215007999-SP

12 Between August 26, 2013 and August 8, 2016, Pineda caused three
13 unauthorized disbursements of trust funds to be made from Mara escrow file number 8215007999-SP
14 totaling \$8,109.25 in violation of Financial Code section 17414, subdivision (a)(1). The three trust
15 checks Pineda deposited into her personal bank account ranged in amount from \$520.85 to \$6,823.00.

16 15. Escrow File Number 8215008310-SP

17 On November 27, 2013, Pineda caused an unauthorized disbursement of trust funds to be
18 made from Mara escrow file number 8215008310-SP totaling \$7,825.41 in violation of Financial
19 Code section 17414, subdivision (a)(1). Pineda deposited the \$7,825.41 trust check into her personal
20 bank account held at Bank of America.

21 16. Escrow File Number 8215006995-SP

22 On November 13, 2012, Pineda caused an unauthorized disbursement of trust funds to be
23 made from Mara escrow file number 8215006995-SP totaling \$6,929.86 in violation of Financial
24 Code section 17414, subdivision (a)(1). Pineda deposited into her personal bank account a title refund
25 check made payable to Mara. Pineda deposited the \$6,929.86 trust check into her personal bank
26 account held at Bank of America.

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1 17. Escrow File Number 8215011708

2 Between January 17, 2017 and March 6, 2017, Pineda caused two unauthorized disbursements
3 of trust funds to be made from Mara escrow file number 8215011708 totaling \$6,679.19 in violation
4 of Financial Code section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her
5 personal bank account were in the amounts of \$382.49 and \$6,296.70.

6 18. Escrow File Number 8215005988-LW

7 On October 29, 2012, Pineda caused an unauthorized disbursement of trust funds to be made
8 from Mara escrow file number 8215005988-LW totaling \$5,000.00 in violation of Financial Code
9 section 17414, subdivision (a)(1). Pineda deposited the \$5,000.00 trust check into her personal bank
10 account held at Bank of America.

11 19. Escrow File Number 8215007533-VR

12 On September 27, 2013, Pineda caused an unauthorized disbursement of trust funds to be
13 made from Mara escrow file number 8215007533-VR totaling \$5,000.00 in violation of Financial
14 Code section 17414, subdivision (a)(1). Pineda deposited the \$5,000.00 trust check into her personal
15 bank account held at Bank of America.

16 20. Escrow File Number 8215008022-SP

17 On September 16, 2013, Pineda caused an unauthorized disbursement of trust funds to be
18 made from Mara escrow file number 8215008022-SP totaling \$5,000.00 in violation of Financial
19 Code section 17414, subdivision (a)(1). Pineda deposited the \$5,000.00 trust check into her personal
20 bank account held at Bank of America.

21 21. Escrow File Number 8215010701-CK

22 On January 17, 2017, Pineda caused an unauthorized disbursement of trust funds to be made
23 from Mara escrow file number 8215010701-CK totaling \$4,835.95 in violation of Financial Code
24 section 17414, subdivision (a)(1). Pineda deposited the \$4,835.95 trust check into her personal bank
25 account held at Bank of America.

26 22. Escrow File Number 8215008665-VR

27 On January 27, 2014, Pineda caused an unauthorized disbursement of trust funds to be made
28 from Mara escrow file number 8215008665-VR totaling \$4,650.00 in violation of Financial Code

1 section 17414, subdivision (a)(1). Pineda deposited the \$4,650.00 trust check into her personal bank
2 account held at Bank of America.

3 23. Escrow File Number 8215009933-SP

4 Between June 22, 2015 and July 20, 2015, Pineda caused two unauthorized disbursements of
5 trust funds to be made from Mara escrow file number 8215009933-SP totaling \$4,529.78 in violation
6 of Financial Code section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her
7 personal bank account were in the amounts of \$4,429.78 and \$100.00.

8 24. Escrow File Number 8215010439-RL

9 On May 31, 2016, Pineda caused an unauthorized disbursement of trust funds to be made
10 from Mara escrow file number 8215010439-RL totaling \$4,500.00 in violation of Financial Code
11 section 17414, subdivision (a)(1). Pineda deposited the \$4,500.00 trust check into her personal bank
12 account held at Bank of America.

13 25. Escrow File Number 8215009248-JST

14 On March 3, 2014, Pineda caused an unauthorized disbursement of trust funds to be made
15 from Mara escrow file number 8215009248-JST totaling \$4,204.86 in violation of Financial Code
16 section 17414, subdivision (a)(1). Pineda deposited the \$4,204.86 trust check into her personal bank
17 account held at Bank of America.

18 26. Escrow File Number 8215010612-SP

19 On March 14, 2016, Pineda caused an unauthorized disbursement of trust funds to be made
20 from Mara escrow file number 8215010612-SP totaling \$4,103.33 in violation of Financial Code
21 section 17414, subdivision (a)(1). Pineda deposited the \$4,103.33 trust check into her personal bank
22 account held at Bank of America.

23 27. Escrow File Number 8215007897-SP

24 Between December 31, 2012 and January 28, 2013, Pineda caused three unauthorized
25 disbursements of trust funds to be made from Mara escrow file number 8215007897-SP totaling
26 \$3,887.44 in violation of Financial Code section 17414, subdivision (a)(1). The three trust checks
27 Pineda deposited into her personal bank account ranged in amount from \$139.32 to \$2,748.12.

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1 28. Escrow File Number 8215008120-RL

2 Between January 3, 2014 and January 13, 2014, Pineda caused two unauthorized
3 disbursements of trust funds to be made from Mara escrow file number 8215008120-RL totaling
4 \$3,754.83 in violation of Financial Code section 17414, subdivision (a)(1). The two trust checks
5 Pineda deposited into her personal bank account were in the amounts of \$3,413.48 and \$341.35.

6 29. Escrow File Number 8215009885-SP

7 On December 15, 2014, Pineda caused an unauthorized disbursement of trust funds to be
8 made from Mara escrow file number 8215009885-SP totaling \$3,567.00 in violation of Financial
9 Code section 17414, subdivision (a)(1). Pineda deposited the \$3,567.00 trust check into her personal
10 bank account held at Bank of America.

11 30. Escrow File Number 8215009725-SP

12 On November 24, 2014, Pineda caused an unauthorized disbursement of trust funds to be
13 made from Mara escrow file number 8215009725-SP totaling \$3,415.76 in violation of Financial
14 Code section 17414, subdivision (a)(1). Pineda deposited the \$3,415.76.00 trust check into her
15 personal bank account held at Bank of America.

16 31. Escrow File Number 8215011205-SP

17 On December 12 and 13, 2016, Pineda caused unauthorized disbursements of trust funds to be
18 made from Mara escrow file number 8215011205-SP totaling \$3,350.00 in violation of Financial
19 Code section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her personal bank
20 account were in the amounts of \$3,150.00 and \$200.00.

21 32. Escrow File Number 8215008205-SP

22 On May 24, 2013 and March 12, 2014, Pineda caused unauthorized disbursements of trust
23 funds to be made from Mara escrow file number 821508205-SP totaling \$3,220.54 in violation of
24 Financial Code section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her
25 personal bank account were in the amounts of \$2,140.54 and \$1,080.00.

26 33. Escrow File Number 8215008215-SP

27 On May 6, 2013, Pineda caused an unauthorized disbursement of trust funds to be made from
28 Mara escrow file number 8215008215-SP totaling \$2,977.85 in violation of Financial Code section

1 17414, subdivision (a)(1). Pineda deposited the \$2,977.85 trust check into her personal bank account
2 held at Bank of America.

3 34. Escrow File Number 8215008571-SP

4 On June 3, 2013, Pineda caused an unauthorized disbursement of trust funds to be made from
5 Mara escrow file number 8215008571-SP totaling \$2,902.31 in violation of Financial Code section
6 17414, subdivision (a)(1). Pineda deposited the \$2,902.31 trust check into her personal bank account
7 held at Bank of America.

8 35. Escrow File Number 8215010194-SP

9 Between July 3, 2015 and July 20, 2015, Pineda caused five unauthorized disbursements of
10 trust funds to be made from Mara escrow file number 8215010194-SP totaling \$2,860.00 in violation
11 of Financial Code section 17414, subdivision (a)(1). The five trust checks Pineda deposited into her
12 personal bank account ranged in amount from \$15.00 to \$1,295.00.

13 36. Escrow File Number 8215010490-SP

14 On January 3, 2017, Pineda caused two unauthorized disbursements of trust funds to be made
15 from Mara escrow file number 8215010490-SP totaling \$2,776.84 in violation of Financial Code
16 section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her personal bank
17 account were in the amounts of \$224.39 and \$2,552.45.

18 37. Escrow File Number 8215007418-SP

19 On September 27, 2012, Pineda caused an unauthorized disbursement of trust funds to be
20 made from Mara escrow file number 8215007418-SP totaling \$2,679.31 in violation of Financial
21 Code section 17414, subdivision (a)(1). Pineda deposited the \$2,679.31 trust check into her personal
22 bank account held at Bank of America.

23 38. Escrow File Number 8215008696-SP

24 On April 25, 2013, Pineda caused an unauthorized disbursement of trust funds to be made
25 from Mara escrow file number 8215008696-SP totaling \$2,635.52 in violation of Financial Code
26 section 17414, subdivision (a)(1). Pineda deposited the \$2,635.52 trust check into her personal bank
27 account held at Bank of America.

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1 39. Escrow File Number 8215008103-VR

2 On December 24, 2012, Pineda caused an unauthorized disbursement of trust funds to be
3 made from Mara escrow file number 8215008103-VR totaling \$2,618.11 in violation of Financial
4 Code section 17414, subdivision (a)(1). Pineda deposited the \$2,618.11 trust check into her personal
5 bank account held at Bank of America.

6 40. Escrow File Number 8215009887-SP

7 On January 13, 2015, Pineda caused an unauthorized disbursement of trust funds to be made
8 from Mara escrow file number 8215009887-SP totaling \$2,597.39 in violation of Financial Code
9 section 17414, subdivision (a)(1). Pineda deposited the \$2,597.39 trust check into her personal bank
10 account held at Bank of America.

11 41. Escrow File Number 8215009490-SP

12 On January 2, 2015, Pineda caused an unauthorized disbursement of trust funds to be made
13 from Mara escrow file number 8215009490-SP totaling \$2,533.71 in violation of Financial Code
14 section 17414, subdivision (a)(1). Pineda deposited the \$2,533.71 trust check into her personal bank
15 account held at Bank of America.

16 42. Escrow File Number 8215008228-SP

17 On March 14, 2013, Pineda caused an unauthorized disbursement of trust funds to be made
18 from Mara escrow file number 8215008228-SP totaling \$2,472.34 in violation of Financial Code
19 section 17414, subdivision (a)(1). Pineda deposited the \$2,472.34 trust check into her personal bank
20 account held at Bank of America.

21 43. Escrow File Number 8215010532-SP

22 On February 22, 2016, Pineda caused an unauthorized disbursement of trust funds to be made
23 from Mara escrow file number 8215010532-SP totaling \$2,400.09 in violation of Financial Code
24 section 17414, subdivision (a)(1). Pineda deposited the \$2,400.09 trust check into her personal bank
25 account held at Bank of America.

26 44. Escrow File Number 8215007069-SH

27 On September 14, 2012, Pineda caused an unauthorized disbursement of trust funds to be
28 made from Mara escrow file number 8215007069-SH totaling \$2,378.55 in violation of Financial

1 Code section 17414, subdivision (a)(1). Pineda deposited the \$2,378.55 trust check into her personal
2 bank account held at Bank of America.

3 45. Escrow File Number 8215009437-SP

4 Between May 23, 2014 and June 30, 2014, Pineda caused three unauthorized disbursements
5 of trust funds to be made from Mara escrow file number 8215009437-SP totaling \$2,364.98 in
6 violation of Financial Code section 17414, subdivision (a)(1). The three trust checks Pineda deposited
7 into her personal bank account ranged in amount from \$126.00 to \$1,987.64.

8 46. Escrow File Number 8215011060-SP

9 On August 29, 2016, Pineda caused an unauthorized disbursement of trust funds to be made
10 from Mara escrow file number 8215011060-SP totaling \$2,314.20 in violation of Financial Code
11 section 17414, subdivision (a)(1). Pineda deposited the \$2,314.20 trust check into her personal bank
12 account held at Bank of America.

13 47. Escrow File Number 8215009756-SP

14 On December 15, 2014, Pineda caused an unauthorized disbursement of trust funds to be
15 made from Mara escrow file number 8215009756-SP totaling \$2,227.95 in violation of Financial
16 Code section 17414, subdivision (a)(1). Pineda deposited the \$2,227.95 trust check into her personal
17 bank account held at Bank of America.

18 48. Escrow File Number 8215008515-SP

19 On August 15, 2013, Pineda caused an unauthorized disbursement of trust funds to be made
20 from Mara escrow file number 8215008515-SP totaling \$2,189.89 in violation of Financial Code
21 section 17414, subdivision (a)(1). Pineda deposited the \$2,189.89 trust check into her personal bank
22 account held at Bank of America.

23 49. Escrow File Number 8215009451-SP

24 On April 25, 2014, Pineda caused an unauthorized disbursement of trust funds to be made
25 from Mara escrow file number 8215009451-SP totaling \$2,079.65 in violation of Financial Code
26 section 17414, subdivision (a)(1). Pineda deposited the \$2,079.65 trust check into her personal bank
27 account held at Bank of America.

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1 50. Escrow File Number 8215009161-SP

2 On December 17, 2013, Pineda caused an unauthorized disbursement of trust funds to be
3 made from Mara escrow file number 8215009161-SP totaling \$2,067.64 in violation of Financial
4 Code section 17414, subdivision (a)(1). Pineda deposited the \$2,067.64 trust check into her personal
5 bank account held at Bank of America.

6 51. Escrow File Number 8215011746

7 On February 21, 2017, Pineda caused an unauthorized disbursement of trust funds to be made
8 from Mara escrow file number 8215011746 totaling \$2,054.88 in violation of Financial Code section
9 17414, subdivision (a)(1). Pineda deposited the \$2,054.88 trust check into her personal bank account
10 held at Bank of America.

11 52. Escrow File Number 8215008351-SP

12 On January 22, 2013 and February 25, 2013, Pineda caused unauthorized disbursements of
13 trust funds to be made from Mara escrow file number 8215008351-SP totaling \$2,000.20 in violation
14 of Financial Code section 17414, subdivision (a)(1). The two trust checks Pineda deposited into her
15 personal bank account were in the amounts of \$1,930.00 and \$70.20.

16 53. Escrow File Number 8215006594-SH

17 On November 8, 2012, Pineda caused an unauthorized disbursement of trust funds to be made
18 from Mara escrow file number 8215006594-SH totaling \$2,000.00 in violation of Financial Code
19 section 17414, subdivision (a)(1). Pineda deposited the \$2,000.00 trust check into her personal bank
20 account held at Bank of America.

21 54. Escrow File Number 8215010200-SP

22 On September 8, 2015, Pineda caused an unauthorized disbursement of trust funds to be made
23 from Mara escrow file number 8215010200-SP totaling \$2,000.00 in violation of Financial Code
24 section 17414, subdivision (a)(1). Pineda deposited the \$2,000.00 trust check into her personal bank
25 account held at Bank of America.

26 55. In each of the 42 escrow files described above, the Commissioner's examiner failed to
27 identify any written escrow instructions from the escrow principals authorizing the disbursement of
28 trust funds to Pineda. The absence of escrow instructions enabled the Commissioner to conclude

1 Pineda knowingly disbursed or caused the disbursement of \$169,953.22 in trust funds otherwise than in
2 accordance with escrow instructions in violation of Financial Code section 17414, subdivision (a)(1).

3 **II.**

4 **Order Barring Pineda From Any Position of Employment, Management, or Control of Any**
5 **Escrow Agent**

6 56. On November 19, 2019, the Commissioner issued his notice of intention to bar
7 Shannon L. Fife, aka Shannon L. Pineda from any position of employment, management, or control
8 of any escrow agent, accusation, and other supporting pleadings (collectively, Accusation).

9 57. The Commissioner served Pineda with the Accusation on November 20.

10 58. Pineda failed to file her notice of defense within the time required, and the statutory
11 time period for Pineda to request a hearing on the Accusation has now expired.

12 59. The factual findings and violations of law set forth above in section I. provide grounds
13 under Financial Code section 17423 to bar a person from any position of employment, management,
14 or control of any escrow agent.

15 **THEREFORE, IT IS HEREBY ORDERED:**

16 Respondent Shannon L. Fife, aka Shannon L. Pineda is barred from any position of
17 employment, management, or control of any escrow agent.

18 This order is effective immediately.

19 Dated: December 18, 2019
20 Los Angeles, California

MANUEL P. ALVAREZ
Commissioner of Business Oversight

21 By _____

22 MARY ANN SMITH
23 Deputy Commissioner
24 Enforcement Division