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8 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
9 OF THE STATE OF CALIFORNIA

11 In the Matter of:)
12) ESCROW LICENSE NO.: 963-2570
13 THE COMMISSIONER OF FINANCIAL)
PROTECTION AND INNOVATION,) ORDER BARRING TONI LYNN WILLIAMS
14) FROM EMPLOYMENT, MANAGEMENT OR
Complainant,) CONTROL OF ANY ESCROW AGENT
15)
16 v.)
17 TONI LYNN WILLIAMS,)
18 Respondent.)
19)

20 The Commissioner of Financial Protection and Innovations (Commissioner) finds:

21 **I.**

22 **Introduction**

23 1. Respondent Toni Lynn Williams (Williams) was at all times relevant herein
24 employed as an escrow officer at the main office location of Prominent Escrow Services, Inc.
25 (Prominent Escrow), an escrow agent licensed by the Commissioner pursuant to the Escrow Law of
26 the State of California (California Financial Code Section 17000 et seq.). Prominent Escrow has its
27 main office located at 2601 Saturn Street, Suite 350, Brea, California 92821.
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ORDER BARRING TONI LYNN WILLIAMS FROM EMPLOYMENT,
MANAGEMENT OR CONTROL OF ANY ESCROW AGENT

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II.

Unauthorized Disbursements of Trust Funds

2. On April 12, 2019, the Department of Financial Protection and Innovation formerly known as the Department of Business Oversight (Department) received information that Williams had made numerous unauthorized disbursements of trust funds from several escrow transactions at Prominent Escrow. Based upon such information, the Commissioner, by and through staff, commenced a special examination of Prominent Escrow to review the pertinent escrow files.

3. The special examination disclosed that Williams made and/or caused to be made, at least 10 unauthorized disbursements of trust funds in violation of Financial Code section 17414, subdivision (a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2. The unauthorized disbursements occurred between May 31, 2017 and November 1, 2018 and totaled \$11,635.85. The unauthorized disbursements were payable either to Williams' landlord or her ex-husband. The unauthorized disbursements caused a shortage to exist in the trust account in violation of California Code of Regulations, title 10, section 1738.1. Prominent Escrow has cured the trust account shortage.

4. The unauthorized disbursements were as follows:

(a) Escrow Number 04-1135-TW - On May 31, 2017, Williams made, or caused to be made, an unauthorized disbursement of trust funds via check number 6049 in the amount of \$200.00 to her ex-husband for what appear to be notary fees. The disbursement was unauthorized as there was no notary invoice or other instruction authorizing the disbursement.

(b) Escrow Number 04-1560-TW - On August 23, 2017, prior to close of escrow, Williams made, or caused to be made, an unauthorized disbursement of trust funds via wire number 1473 in the amount of \$2,310.00 to her landlord. The disbursement was unauthorized as there was no instruction authorizing the disbursement. The resulting trust account shortage caused by this unauthorized disbursement was corrected by Williams on or about September 8, 2017 when Williams deposited \$2,310.00 via cashiers' check back into the escrow.

(c) Escrow Number 04-1807-TW - On December 27, 2017, Williams made, or caused to be made, an unauthorized disbursement of trust funds via check number 9331 in the amount of

1 \$125.00 to her ex-husband for what appeared to be notary fees. The disbursement was unauthorized
2 as there was no notary invoice or other instruction authorizing the disbursement.

3 (d) Escrow Number 104-1501380-TW – On April 20, 2018, Williams made, or caused to
4 be made, an unauthorized disbursement of trust funds via wire number 5331 in the amount of
5 \$2,004.45 to her landlord. The disbursement was unauthorized as there was no instruction
6 authorizing the disbursement. The trust funds Williams disbursed to her landlord consisted of a July
7 25, 2015 refund in the amount of \$2,004.45 issued by the title company to Escrow number 104-
8 1501380-TW for a duplicate tax payment and was due and owing to either the buyer and/or seller.

9 (e) Escrow Number 04-642-TW - On May 08, 2018, Williams made, or caused to be
10 made, an unauthorized disbursement of trust funds via check number 10945 in the amount of
11 \$250.00 to her ex-husband for what appeared to be notary fees. The disbursement was unauthorized
12 as there was no notary invoice or other instruction authorizing the disbursement. This escrow had
13 closed back on December 20, 2016.

14 (f) Escrow Number 04-641-TW - On May 08, 2018, Williams made, or caused to be
15 made, an unauthorized disbursement of trust funds via check number 10943 in the amount of
16 \$150.00 to her ex-husband for what appeared to be notary fees. The disbursement was unauthorized
17 as there was no notary invoice or other instruction authorizing the disbursement. This escrow had
18 closed back on February 10, 2017.

19 (g) Escrow Number 104-1501654-TW – On May 22, 2018, Williams made, or caused to
20 be made, an unauthorized disbursement of trust funds via wire number 5333 in the amount of
21 \$3,991.40 to her landlord. The disbursement was unauthorized as there was no instruction
22 authorizing the disbursement. This escrow had closed back on May 28, 2015 and the trust funds
23 Williams disbursed to her landlord consisted of dormant escrow funds due and owing to either the
24 buyer and/or seller.

25 (h) Escrow Number 04-2366-TW - On August 24, 2018, Williams made, or caused to be
26 made, an unauthorized disbursement of trust funds via check number 12355 in the amount of
27 \$150.00 to her ex-husband for what appeared to be notary fees. The disbursement was unauthorized
28 as there was no notary invoice or other instruction authorizing the disbursement.

1 (i) Escrow Number 04-1383-TW - On September 12, 2018, Williams made, or caused to
2 be made, an unauthorized disbursement of trust funds via check number 12590 in the amount of
3 \$250.00 to her ex-husband for what appeared to be notary fees. The disbursement was unauthorized
4 as there was no notary invoice or other instruction authorizing the disbursement. This escrow had
5 closed back on July 31, 2017.

6 (j) Escrow Number 04-2094-TW - On November 1, 2018, Williams made, or caused to
7 be made, an unauthorized disbursement of trust funds via wire number 2743 in the amount of
8 \$2,205.00 to her landlord. The disbursement was unauthorized as there was no instruction
9 authorizing the disbursement.

10 **III.**

11 **Administrative Action**

12 5. On October 15, 2002, the Commissioner issued a Notice of Intention to Issue Order
13 Pursuant to California Financial Code Section 17423 (Bar from Employment, Management or
14 Control of any Escrow Agent), Accusation and accompanying documents against Williams based
15 upon the above (Bar Action).

16 6. On November 12, 2020, the Commissioner personally served Williams with the Bar
17 Action. The Department has received no request for a hearing from Williams and the time to request
18 a hearing has expired.

19 **IV.**

20 **Bar Order**

21 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that Respondent
22 Toni Lynn Williams is barred from any position of employment, management or control of any
23 escrow agent. This order is effective as of the date hereof.

24 Dated: December 3, 2020
25 Los Angeles, CA

MANUEL P. ALVAREZ
Commissioner of Financial Protection and Innovation



26
27 By _____
28 Mary Ann Smith
Deputy Commissioner
Enforcement Division