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

10
11 In the Matter of:)
)
12 THE COMMISSIONER OF FINANCIAL) ESCROW LICENSE NO.: 96DBO-89529
13 PROTECTION AND INNOVATION,)
) ACCUSATION
14 Complainant,)
)
15 v.)
)
16 TILANA J. TONEY and CHRISTINA)
17 REDMON,)
)
18 Respondents.)
19 _____)

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

22 **I.**

23 **Introduction**

24 1. Respondent Tilana J. Toney, also known as Lana Toney and Tilana Strickland,
25 (Toney) was at all times relevant herein, an escrow officer at 805escrow (805); an escrow agent
26 licensed by the Commissioner of Financial Protection and Innovation formerly the Commissioner of
27 Financial Protection and Innovation (Commissioner or Complainant) pursuant to the Escrow Law of
28

ACCUSATION

1 the State of California (Fin. Code Section 17000 et seq.). The licensed location of 805 is 31344 Via
2 Colinas, Suite 101, Westlake Village, California 91362.

3 2. Prior to her employment at 805, Toney was an escrow officer at Precision Escrow,
4 Inc.; also an escrow agent licensed by the Commissioner pursuant to the Escrow Law. The licensed
5 location of Precision Escrow, Inc. is 20855 Ventura Boulevard, Suite 16, Woodland Hills, California
6 91364.

7 3. Respondent Christina Redmon (Redmon) was, at all times relevant herein, the escrow
8 manager and an escrow officer at 805.

9 **II.**

10 **False Filings with the Commissioner by Toney:**

11 4. Pursuant to Financial Code section 17419, a completed statement of identity and
12 employment application (SIE) is required to be submitted for all persons seeking employment with
13 an escrow agent or potential escrow agent on or before the first day of employment, except those
14 required to file a Statement of Identity and Questionnaire (SIQ).

15 5. Pursuant to Financial Code section 17702, it is a violation of the Escrow Law for
16 anyone to make any untrue statement of a material fact in any application, notice, or report filed with
17 the commissioner under the Escrow Law.

18 6. On or about July 2, 2019, a SIE for Toney dated June 26, 2019 was filed with the
19 Department of Financial Protection and Innovation formerly known as the Department of Business
20 Oversight (Department) regarding Toney’s employment with 805 (805 SIE). Toney executed the 805
21 SIE under penalty of perjury.

22 7. Previously, on or about June 30, 2017, a SIE for Toney dated June 30, 2017 was filed
23 with the Department regarding Toney’s employment with Precision Escrow, Inc. (Precision SIE).
24 Toney executed the Precision SIE under penalty of perjury.

25 8. Toney represented to the Department in both the 805 SIE and the Precision SIE that
26 she had never been named in any order, judgment or decree of any court or any governmental
27 agency or administrator, temporarily or permanently restraining or enjoining you from engaging in
28 or continuing any conduct, practice or employment. This response was false in that Toney had been

1 named in an order issued by the Texas Commissioner of Insurance on or about February 18, 2015 to
2 cease and desist from engaging: (i) in the unauthorized business of insurance; and (ii) in unfair
3 methods of competition and deceptive acts or practices in the business of insurance.

4 9. Toney additionally represented in the 805 SIE and Precision SIE that she had never
5 pled guilty or nolo contendere to a misdemeanor or felony other than traffic violations. This
6 response was false in that Toney had pled nolo contendere on or about September 10, 2002 to theft
7 by check, a class A misdemeanor, in Williamson County Municipal Court, Case number HC00-
8 2334J12. The SIE form made it very clear that “convicted” included nolo contendere pleas and that
9 disclosure was required even if the verdict was later set aside or the charges dismissed.

10 10. Toney further represented in the 805escrow SIE and the Precision SIE that a civil
11 lawsuit in Texas was still pending. This response was false in that the Williamson County, Texas
12 District Court in case No. 12-0101-C368, had entered a final judgment against Toney on October 19,
13 2015 ordering Toney to pay the plaintiffs \$1,121,842.85 in damages and finding that Toney had
14 acted knowingly and intentionally in engaging in deceptive trade practices.

15 11. Toney also represented in the 805 SIE and Precision SIE that she had only done
16 business either as an individual, or in the partnership or corporate form under the fictitious business
17 name of Toney Professional Services, LLC. This response was false as Toney was also doing
18 business under the fictitious business names of Reliable Resolve Processing Services aka RRPS and
19 Legacy Developmental Resources (LDR), Inc. aka LDR, Inc.

20 12. Furthermore, Toney represented in the 805 SIE that she began her employment with
21 805 on June 29, 2019. This representation was false as Toney had begun handling escrow
22 transactions for 805 as early as April 2019.

23 **III.**

24 **Unauthorized Disbursements of Trust Funds by Toney and Redmon:**

25 13. On or about October 29, 2019, the Commissioner, by and through staff, commenced a
26 special examination of 805. The special examination disclosed that Toney and Redmon had made, or
27 caused to be made, unauthorized disbursements in at least 6 escrows totaling \$100,721.54 between
28 April 2019 and August 2019 in violation of Financial Code section 17414(a)(1) and California Code

1 of Regulations, title 10, sections 1738 and 1738.2. All the unauthorized disbursements were made to
2 Legacy Developmental Resources (LDR), Inc., a Delaware corporation, also known as LDR, Inc.
3 (LDR), Reliable Resolve Processing Solutions, Inc., an entity of unknown form, also known as
4 RRPS, Inc. (RRPS), and Prosperous Horizon, Inc., an entity of unknown form (Prosperous). LDR,
5 RRPS, and Prosperous are owned by Toney.

6 14. The unauthorized disbursements in violation of Financial Code section 17414(a)(1)
7 and California Code of Regulations, title 10, sections 1738 and 1738.2 are described as follows:

8 A. Escrow Number 1108-CR – Closed June 15, 2019

9 (i) On or about June 7, 2019, Respondents made, or caused to be made, an unauthorized
10 disbursement of trust funds in the amount of \$1,015.00 to RRPS via trust check number 6735. The
11 disbursement was unauthorized as there was no instruction authorizing the disbursement. Escrow
12 number 1108-CR was opened on or about April 15, 2019. Redmon is the escrow officer in this
13 escrow according to the escrow instructions. However, numerous documents in the escrow file
14 disclosed that Toney was involved in the processing of this escrow transaction.

15 (ii) On or about June 14, 2019, Respondents made, or caused to be made, an unauthorized
16 disbursement of trust funds in the amount of \$10,362.00 to LDR via wire number 524. The
17 disbursement was unauthorized as there was no instruction authorizing the disbursement.

18 (iii) On or about June 21, 2019, Respondents made, or caused to be made, an unauthorized
19 disbursement of trust funds in the amount of \$3,542.00 to RRPS via trust check number 6876. The
20 disbursement was unauthorized as there was no instruction authorizing the disbursement.

21 (iv) On or about July 25, 2019, Respondents made, or caused to be made, an unauthorized
22 disbursement of trust funds in the amount of \$1,578.01 to LDR via trust check number 7076. The
23 disbursement was unauthorized as there was no instruction authorizing the disbursement.

24 B. Escrow Number 1134-CR – Closed May 10, 2019

25 (i) On or about June 5, 2019, Respondents made, or caused to be made, an unauthorized
26 disbursement of trust funds in the amount of \$10,238.10 to RRPS via wire number 492. The
27 disbursement was unauthorized as there was no instruction authorizing the disbursement. Escrow
28 number 1134-CR was opened at 805 on or about March 25, 2019. Redmon is the escrow officer in

1 this escrow according to the escrow instructions. However, this escrow was transferred to 805 from
2 Precision Escrow, where Toney previously worked, and numerous documents in the escrow file
3 disclose that Toney was involved in the processing of this escrow transaction.

4 (ii) On or about June 7, 2019, Respondents made, or caused to be made, an unauthorized
5 disbursement of trust funds in the amount of \$85.85 to Prosperous Horizons via trust check number
6 6731. The disbursement was unauthorized as there were no instructions authorizing the
7 disbursement.

8 (iii) On or about June 7, 2019, Respondents made, or caused to be made, two
9 unauthorized disbursements of trust funds in the respective amounts of \$300.00 and \$275.66 to
10 RRPS via trust check numbers 6732 and 6744. The disbursements were unauthorized as there were
11 no instructions authorizing the disbursements.

12 (iv) On or about July 2, 2019, Respondents made, or caused to be made, an unauthorized
13 disbursement of trust funds in the amount of \$4,767.24 to LDR via trust check number 6940. The
14 disbursement was unauthorized as there was no instruction authorizing the disbursement.

15 (v) On or about July 25, 2019, Respondents made, or caused to be made, an unauthorized
16 disbursement of trust funds in the amount of \$1,035.63 to LDR via check number 7077. The
17 disbursement was unauthorized as there was no instruction authorizing the disbursement.

18 C. Escrow Number 1146-CR – Canceled June 18, 2019

19 On or about May 22, 2019, Respondents made, or caused to be made, an unauthorized
20 disbursement of trust funds in the amount of \$4,140.00 to LDR via wire number 468. The
21 disbursement was unauthorized as there was no instruction authorizing the disbursement. Escrow
22 number 1146-CR was opened on or about May 7, 2019. Redmon is the escrow officer in this escrow
23 according to the escrow instructions. However, numerous documents in the escrow file disclosed
24 that Toney was involved in the processing of this escrow transaction.

25 D. Escrow Number 1118-CR – Transferred

26 (i) On or about April 23, 2019, Respondents made, or caused to be made, an
27 unauthorized disbursement of trust funds in the amount of \$32,000.00 to LDR via wire number 435.
28 The disbursement was unauthorized as the instruction authorizing the disbursement contained a

1 forged signature. Escrow number 1118-CR was opened at 805 on or about April 22, 2019. Redmon
2 is the escrow officer in this escrow according to the escrow instructions. However, this escrow was
3 transferred to 805 from Precision Escrow, where Toney previously worked, and numerous
4 documents in the escrow file disclose that Toney was involved in the processing of this escrow
5 transaction.

6 (ii) On or about August 23, 2019, Respondent Toney made, or caused to be made, an
7 unauthorized disbursement of trust funds in the amount of \$7,142.50 to RRPS via trust check number
8 7244. The disbursement was unauthorized as there was no instruction authorizing the disbursement.

9 E. Escrow Number 1138-LT – Closed May 15, 2019

10 (i) On or about May 10, 2019, Respondents made, or caused to be made, an unauthorized
11 disbursement of trust funds in the amount of \$15,000.00 to LDR via wire number 451. The
12 disbursement was unauthorized as there was no instruction authorizing the disbursement. Escrow
13 number 1138-LT was opened at 805 on or about May 5, 2019 with Toney as the named escrow
14 officer. This escrow was transferred to 805 from Precision Escrow, where Toney previously
15 worked.

16 (ii) On or about June 5, 2019, Respondents made, or caused to be made, two
17 unauthorized disbursements of trust funds in the respective amounts of \$80.00 and \$15.00 to
18 Prosperous Horizon via trust check numbers 6684 and 6685. The disbursements were unauthorized
19 as there were no instructions authorizing the disbursements.

20 F. Escrow Number 1159-LT – Transferred

21 On or about August 7, 2019, Respondents made, or caused to be made, an unauthorized
22 disbursement of trust funds in the amount of \$9,144.55 to LDR via trust check number 7155. The
23 disbursement was unauthorized as there was no instruction authorizing the disbursement. Escrow
24 number 1159-LT was opened at 805 on or about May 7, 2019 with Toney as the named escrow
25 officer. This escrow was transferred to 805 from Precision Escrow, where Toney previously
26 worked.

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IV.

Bar Statute

15. Financial Code section 17423 provides in pertinent part:

(a) The commissioner may, after appropriate notice and opportunity for hearing, by order, . . . bar from any position of employment, management, or control any escrow agent, or any other person, if the commissioner finds either of the following:

(1) That the . . . bar is in the public interest and that the person has committed or caused a violation of this division or rule or order of the commissioner, which violation was either known or should have been known by the person committing or causing it or has caused material damage to the escrow agent or to the public.

V.

Conclusion

16. The Commissioner finds that, by reason of the foregoing, (i) Respondents Tilana J. Toney and Christina Redmon have repeatedly violated Financial Code section 17414, subdivision (a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2; and (ii) Respondent Tilana J. Toney has repeatedly violated Financial Code section 17702, and based thereon, it is in the best interests of the public to bar Respondents Tilana J. Toney and Christina Redmon from any position of employment, management or control of any escrow agent.

VI.

Prayer

WHEREFORE, IT IS PRAYED that pursuant to Financial Code section 17423, subdivision (a)(1), Respondents Tilana J. Toney and Christina Redmon be barred from any position of employment, management or control of any escrow agent.

Dated: January 11, 2021
Los Angeles, CA

MANUEL P. ALVAREZ
Commissioner of Financial Protection and Innovation



By _____
Judy L. Hartley
Senior Counsel
Enforcement Division