

1 CLOTHILDE V. HEWLETT
Commissioner
2 MARY ANN SMITH
Deputy Commissioner
3 AMY J. WINN
Assistant Chief Counsel
4 AFSANEH EGHBALDARI (State Bar No. 250107)
Senior Counsel
5 Department of Financial Protection and Innovation
1455 Frazee Road, Suite 315
6 San Diego, California 92108
7 Telephone: (619) 946-3312
8 Facsimile: (619) 209-3612

9 Attorneys for Complainant

10 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
11 OF THE STATE OF CALIFORNIA
12

13 In the Matter of:)

14 THE COMMISSIONER OF FINANCIAL)
15 PROTECTION AND INNOVATION,)

16 Complainant,)

17 v.)

18 DANIELLE RENEE MARTINEZ,)

19 Respondent.)
20)
21

ORDER BARRING DANIELLE RENEE
MARTINEZ FROM ANY POSITION OF
EMPLOYMENT, MANAGEMENT, OR
CONTROL OF ANY ESCROW AGENT

22 The Commissioner of Financial Protection and Innovation (Commissioner) finds:

23 1. Respondent Danielle Renee Martinez (Martinez) was an escrow officer at
24 EscrowQuick, Inc. (EscrowQuick), a licensed escrow agent.

25 2. The Commissioner has jurisdiction over the licensing and regulation of persons
26 and entities engaged in the business of receiving escrows for deposit or delivery under the
27 Escrow Law (Fin. Code, § 17000 et seq.) (Escrow Law). The Commissioner is authorized to

ORDER BARRING DANIELLE RENEE MARTINEZ FROM ANY POSITION OF EMPLOYMENT,
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1 administer and enforce the Escrow Law and the rules and regulations promulgated in title 10 of
2 the California Code of Regulations (CCR).

3 3. On or about August 26, 2022, EscrowQuick notified the Department of Financial
4 Protection and Innovation (Department) that Martinez had issued two checks to herself without
5 authorization totaling \$875.00 from escrow file 22-1604-DM.

6 4. Upon discovering the unauthorized disbursements, EscrowQuick conducted an
7 internal audit of all the escrow files handled by Martinez from July 1, 2020, to August 19, 2022,
8 Martinez's date of termination from EscrowQuick.

9 5. EscrowQuick's internal audit revealed Martinez made numerous unauthorized
10 disbursements from 73 escrow files that she had processed in the total amount of \$22,185.00, and
11 altered or falsified closing statements to conceal the fraudulent disbursements.

12 6. Thereafter, EscrowQuick paid the principals and appropriate parties affected by
13 the theft caused by Martinez's fraudulent disbursements to correct the trust shortages and unpaid
14 invoices.

15 7. The Department conducted a special examination and reviewed the internal audit,
16 which revealed that Martinez, without authorization, paid herself fees for services that she did
17 not perform, took fees that belonged to third-party notaries or other parties, altered statements by
18 charging the principals to the escrow fees without performing services, inflated courier fees, and
19 took escrow fees belonging to EscrowQuick.

20 8. Below are some examples of the unauthorized disbursements made by Martinez:
21 Escrow file 21-1025-DM

22 9. Escrow 21-1025-DM was opened on January 6, 2021, and closed on February 1,
23 2021.

24 10. On February 1, 2021, Martinez altered the Borrower Statement to show that the
25 notary/signing fee of \$300.00 was to be paid to Martinez, instead of the notary that was
26 authorized to perform the work and performed the work.

27 11. Martinez issued a check in the amount of \$300.00 to herself for performing
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1 notary/signing services. The check cleared the bank on February 5, 2021.

2 12. There is no evidence in this escrow file showing that Martinez performed the
3 notary/signing services for the principals.

4 13. Martinez took this payment or fee for herself without authorization, and altered
5 the final closing statement without authorization, in violation of Financial Code section 17414
6 and title 10 CCR sections 1738 and 1738.2.

7 Escrow 21-2318-DM

8 14. Escrow 21-2318-DM was opened on May 11, 2021, and closed on July 27, 2021.

9 15. On July 28, 2021, one day after this escrow was closed, Martinez altered the
10 Borrower Statement to show that the notary/signing fee of \$250.00 would be paid to her, instead
11 of the notary that was authorized to perform the work and performed the work.

12 16. Martinez issued a check for \$250.00 to herself. The check cleared the bank on
13 July 30, 2021.

14 17. There is no evidence in this escrow file showing that Martinez performed the
15 notary/signing services for the principals.

16 18. Martinez took this payment or fee without authorization, and altered the final
17 closing statement without authorization, in violation of Financial Code section 17414 and title 10
18 CCR sections 1738 and 1738.2.

19 Escrow 21-2800-DM

20 19. Escrow 21-2800-DM was opened on June 21, 2021, and closed on September 13,
21 2021.

22 20. Martinez inflated title charges on the closing statement for this escrow by adding
23 unauthorized wire/overnight/courier fees that were not performed and were not charged by the
24 title company resulting in an overcharge of \$350.00 in this escrow.

25 21. On September 12, 2021, Martinez issued a check to herself for \$350.00 for the
26 unauthorized wire/overnight/courier fees, which cleared the bank on September 13, 2021.

27 22. There is no evidence that Martinez performed any wire/overnight/courier services
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1 on behalf of Chicago Title.

2 23. Martinez took this payment or fee without authorization, and altered the final
3 closing statement without authorization, in violation of Financial Code section 17414 and title 10
4 CCR sections 1738 and 1738.2.

5 Escrow 21-3991-DM

6 24. Escrow 21-3991-DM was opened on December 14, 2021, and closed on January
7 12, 2022.

8 25. Martinez altered the final settlement statement to show that the notary/signing fee
9 of \$200.00 would be paid to her, instead of the notary that was authorized to perform the work
10 and performed the work. She also added to the final settlement statement an unauthorized
11 messenger fee of \$200.00 to be paid to her.

12 26. On January 8, 2022, Martinez issued two checks to herself for the total amount of
13 \$400.00 for the notary/signing and messenger services that she did not perform. The checks
14 cleared the bank on January 10, 2022.

15 27. There is no evidence in this escrow file showing that Martinez performed the
16 notary/signing or messenger services.

17 28. Martinez took these payments or fees without authorization, and altered the final
18 closing statement without authorization, in violation of Financial Code section 17414 and title 10
19 CCR sections 1738 and 1738.2.

20 Escrow 22-1567-DM

21 29. Escrow 22-1567-DM was opened on June 7, 2022, and closed on July 29, 2022.

22 30. Martinez falsified the final settlement statement to show extra notary/signing fees
23 and messenger/delivery fees in the total amount of \$1,000.00 to be paid to her for services that
24 she did not perform. As a result, the principals of this escrow were overcharged \$1,000.00.

25 31. Martinez issued three checks to herself in the total amount of \$1,000.00. Two of
26 the checks cleared the bank on July 26, 2022, and the third check cleared on August 1, 2022.

27 32. There is no evidence showing that Martinez performed any notary/signing or
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1 messenger/delivery services.

2 33. Martinez took these payments or fees without authorization, and altered the final
3 closing statement without authorization, in violation of Financial Code section 17414 and title 10
4 CCR sections 1738 and 1738.2.

5 Escrow 22-1577-DM

6 34. Escrow 22-1577-DM was opened on June 13, 2022, and closed on July 5, 2022.

7 35. Martinez altered the final settlement statement to show that signing/document and
8 delivery/messenger fees in the total amount of \$805.00 would be paid to her for services that she
9 did not perform. As a result, the principals of this escrow were overcharged \$805.00, and this
10 escrow incurred a shortage.

11 36. Martinez issued three checks to herself in the total amount of \$805.00. Two of the
12 checks cleared the bank on June 29, 2022, and the third check cleared the bank on July 8, 2022.

13 37. Martinez took these payments or fees without authorization, and altered the final
14 closing statement without authorization, in violation of Financial Code section 17414 and title
15 CCR sections 1738 and 1738.2.

16 Escrow file 22-1604-DM

17 38. Escrow 22-1604-DM was opened on June 24, 2022, and closed on August 5,
18 2022.

19 39. Martinez took the \$775.00 settlement agent fee that belonged to EscrowQuick and
20 overcharged the buyer \$100.00 as her own miscellaneous fee without authorization and without
21 performing any notary/signing or delivery services. As a result, EscrowQuick took a loss of
22 \$775.00 for its own escrow fees, and the escrow file had a shortage of \$100.00 due to the
23 fraudulent charge to the principal.

24 40. On August 4 and 8, 2022, Martinez issued two checks to herself totaling \$875.00.
25 The checks cleared the bank on August 8 and 9, 2022.

26 41. There is no evidence in this escrow file showing that Martinez performed any
27 notary/signing or delivery services.

1 42. Martinez took these payments or fees without authorization, in violation of
2 Financial Code section 17414 and title 10 CCR sections 1738 and 1738.2.

3 43. The Commissioner finds that, by reason of the foregoing, Respondent Danielle
4 Renee Martinez has violated Financial Code section 17414, subdivision (a)(1) by disbursing
5 escrow funds without authorization; Financial Code section 17414, subdivision (a)(2) by creating
6 or altering closing statements to conceal unauthorized disbursements; California Code of
7 Regulations, title 10, section 1738 for disbursing trust funds without instructions; and California
8 Code of Regulations, title 10, section 1738.2 for failure to follow written instructions.

9 44. On June 28, 2023, the Commissioner issued her notice of intention to issue an
10 order barring Respondent Danielle Renee Martinez from any position of employment,
11 management, or control of any escrow agent, Accusation, and accompanying documents based
12 upon the above (Bar Action).

13 45. Martinez was served with the Bar Action by first-class mail and email
14 respectively on July 21, 2023, and July 31, 2023. The Department has received no request for a
15 hearing from Martinez and the time to request a hearing has expired.

16 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that Respondent
17 Danielle Renee Martinez be barred from any position of employment, management, or control of
18 any escrow agent, pursuant to Financial Code section 17423.

19 Dated: September 25, 2023
20 Sacramento, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and
Innovation



21 By _____
22 MARY ANN SMITH
23 Deputy Commissioner
24 Enforcement Division
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