



## **INSTRUCTIONS FOR COMPLETION OF SURETY BOND FORM**

The form contains the approved format for the surety bond as required by Financial Code Section 17203.1 and Title 10, California Code of Regulations, Section 1723(C).

The original surety bond must be filed and must include all of the following:

1. The signature of the attorney-in-fact for the surety company.
2. A notarial jurat for the attorney-in-fact.
3. A power of attorney from the surety company.
4. Legal name of the licensee. Business name(s), if applicable, may also be included.
5. The signature of the licensee.
6. The notarial jurat for the signature of the licensee.

**BOND OF ESCROW AGENT (FOR FIDELITY BOND DEDUCTIBLE)**

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**BOND OF ESCROW AGENT**

(Financial Code Section 17203.1 and Title 10, California Code of Regulations, Section 1723(c))

Bond No. \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

That we \_\_\_\_\_, as principal,  
Whose address for service is

\_\_\_\_\_,  
(Street Address, City, State and Zip Code)

AND \_\_\_\_\_, a corporation, created, organized and existing under and  
by virtue of the laws of the State of \_\_\_\_\_, and an admitted surety insurer authorized  
to transact a general surety business in the State of California, as Surety, whose address for service  
is \_\_\_\_\_,  
(Street Address, City, State and Zip Code)

are held and firmly bound unto the Commissioner of Financial Protection and Innovation of the State of California, as Obligee, for the use thereof, in the total aggregate penal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), lawful money of the United States of America, to be paid to the Commissioner of Financial Protection and Innovation of the State of California, or to a conservator appointed by the Commissioner of Financial Protection and Innovation pursuant to Chapter 6 (commencing with Section 17621) of the Escrow Law or to a receiver or other designated fiduciary or officer of the court appointed by the Superior Court pursuant to Chapter 6 (commencing with 17621) of the Escrow Law, for the use and benefit aforesaid, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. (See Financial Code Section 17203.1 and Title 10, California Code of Regulations, Section 1723(c)).

The condition of the above obligation is such that:

WHEREAS, the above named principal has made application to the Commissioner of Financial Protection and Innovation for a license to engage in business under and pursuant to the Escrow Law or is licensed as an escrow agent under and pursuant to the Escrow Law, and is required, pursuant to Section 17312 of the Financial Code, to obtain individual fidelity/indemnity bond coverage under Section 17203.1 of the Financial Code and Section 1723 of Title 10 of the California Code of Regulations, and is further required under subsection (c) of Section 1723 of Title 10 of the California Code of Regulations to furnish a bond in the sum above named, conditioned as herein set forth:

NOW, THEREFORE, the Principal, and any and all agents and employees representing the principal shall pay to the Commissioner of Financial Protection and Innovation or to a conservator appointed by the Commissioner of Financial Protection and Innovation or to a receiver or other designate fiduciary or officer of the court appointed by the Superior Court any loss of trust obligations that the principal's fidelity bond does not cover due to the fidelity bond's deductible.

**BOND OF ESCROW AGENT (FOR FIDELITY BOND DEDUCTIBLE)**

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This bond is subject to the following provisions:

1. That any person who sustains an injury or loss covered by this bond may, in addition to any other remedy that he or she may have, bring an action in his or her own name upon this bond for the recovery of any such damages sustained by him or her; provided, however, that no such action may be brought after the expiration of two years from and after the act or default complained of.
2. That the total aggregate liability of the surety or sureties herein shall be limited to the payment of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) (insert amount of bond).
3. This bond may be cancelled by the surety in accordance with the provisions of Sections 996.320 and 996.330 of Code of Civil Procedure of the State of California.
4. That, in the event either the principal and/or the surety under this bond are served with notice of any action commenced against the principal or the surety under the bond by any person other than the Commissioner of Financial Protection and Innovation, the principal and surety as each is served with notice of action shall respectively and immediately give written notice of the filing of such action to the Commissioner of Financial Protection and Innovation at the Los Angeles office of Department of Financial Protection and Innovation.
5. That, in the event the Surety under this bond makes full or partial payment on this bond to any person other than the Commissioner of Financial Protection and Innovation, the surety shall immediately give written notice of such full or partial payment to the Commissioner of Financial Protection and Innovation, at the Los Angeles office of the Department of Financial Protection and Innovation.
6. That the effective date of this bond shall be \_\_\_\_\_.

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Typed or Printed Name of Principal

\_\_\_\_\_  
Executed at (City and State)

I Certify (or declare) under penalty of perjury that I have executed the foregoing bond under an unrevoked power of Attorney.

Executed in \_\_\_\_\_ on \_\_\_\_\_  
(City and State) (Date)

Under the laws of the State of California.

\_\_\_\_\_  
Signature of Attorney-in-Fact for Surety

\_\_\_\_\_  
Printed or typed name of  
Attorney-in-Fact for Surety

ALL OF THE ABOVE SIGNATURES MUST BE NOTARIZED

**BOND OF ESCROW AGENT (FOR FIDELITY BOND DEDUCTIBLE)**

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**DFPI's Privacy Notice on Collection**

**DFPI Collects and Uses Personal Information:** The DFPI collects the information requested on this form as authorized by the California Financial Code section 17203.1 and the California Code of Regulations section 1723(c). The DFPI uses this information to demonstrate that the applicant is in compliance with the fidelity bonding requirements. Use of the personal information DFPI collects is subject to limitations contained in the Information Practices Act of 1977 and other applicable state and federal laws.

**Providing Personal Information is Voluntary:** You do not have to provide the personal information requested. If you do not want to provide personal information, such as your name, home address or home telephone number, you may remain anonymous. However, we may not be able to contact you or help resolve your issue.

When providing information or documents, please do not include unrequested personal information such as a Social Security number, driver's license number, or financial information.

**DFPI May Disclose Your Personal Information:** We may share your personal information with other federal, state or local law enforcement agencies or a self-regulatory organization as authorized by law. Your personal information may also be disclosed:

- In response to a Public Records Act request, as allowed by the Information Practices Act.
- To another governmental agency as required by state or federal law.
- In response to a court order or administrative order, a subpoena or a search warrant.

**Your Access to Your Personal Information:** You may review the records maintained by DFPI that contain your personal information. To request access, contact: DFPI Privacy Officer, 651 Bannon Street, Suite 300, Sacramento, CA 95811, (866) 275-2677.