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7 Attorneys for Complainant  
8

9 BEFORE THE DEPARTMENT OF CORPORATIONS  
10 OF THE STATE OF CALIFORNIA  
11

12 In the Matter of the Accusation of THE ) File No.: 963-2096  
CALIFORNIA CORPORATIONS )  
13 COMMISSIONER, )  
14 )  
Complainant, ) ORDER BARRING GLORIA LUNA A/K/A  
15 ) GLORIA NORIEGA FROM ANY POSITION  
vs. ) OF EMPLOYMENT, MANAGEMENT OR  
16 ) CONTROL OF ANY ESCROW AGENT  
17 GLORIA LUNA A/K/A GLORIA NORIEGA )  
and VALERIE DOMINGUEZ, )  
18 )  
19 )  
Respondents. )

20  
21 The California Corporations Commissioner finds that:

22 1. Respondent Gloria Luna a/k/a Gloria Noriega (“Luna”) was at all times relevant, the  
23 manager and an escrow officer at Western Escrow Services (“Western”), an escrow agent licensed  
24 by the California Corporations Commissioner ("Commissioner" or "Complainant") pursuant to the  
25 Escrow Law of the State of California (California Financial Code Section 17000 et seq.). Western  
26 had its principal place of business located at 2425 Camino Del Rio South, Suite 150, San Diego,  
27 California 92108.  
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1           2.       Respondent Valerie Dominguez ("Dominguez") was at all times relevant, the  
2 receptionist at Western. Dominguez is also the daughter of Luna.

3           3.       On March 1, 2007, the Commissioner, by and through his staff, commenced a special  
4 examination of the books and records of Western. The special examination was commenced after  
5 the Department of Corporations ("Department") received information from Escrow Agent's Fidelity  
6 Corporation ("EAFC") that it had received a telephone call from the sole shareholder of Western  
7 regarding a trust account shortage. The special examination revealed that Luna had made at least  
8 one-hundred and seventy (170) unauthorized disbursements of trust funds from the Western trust  
9 account to Luna and/or Dominguez totaling \$313,048.94 between March 21, 2005 and  
10 January 22, 2007 in violation of Financial Code section 17414(a)(1) and California Code of  
11 Regulations, title 10, sections 1738 and 1738.2. The special examination further revealed that Luna  
12 was altering Settlement Statements in violation of Financial Code section 17414(a)(2) to hide the  
13 unauthorized disbursements. The unauthorized disbursements resulted in a trust account shortage  
14 and numerous ongoing debit balances in violation of California Code of Regulations, title 10, section  
15 1738.1. Western has been unable to cure the trust account shortage.

16           4.       Several of the violations discovered during the special examination of Western and  
17 the methods used by Luna to cover up the unauthorized disbursements are described as follows:

18           A.       Bank of America Charges on the Settlement Statement:

19           Commencing on April 12, 2005 and continuing through at least December 22, 2006, Luna  
20 made at least thirty-seven (37) unauthorized disbursements of trust funds to herself and/or  
21 Dominguez from thirty-seven escrows totaling \$70,747.21 in violation of Financial Code section  
22 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2. Luna hid the  
23 unauthorized disbursements to herself and/or Dominguez by describing them as Bank of America  
24 charges on the System Settlement Statements<sup>1</sup> in all the affected escrows in violation of Financial  
25 Code section 17414(a)(2). Luna and Dominguez both maintained personal bank accounts as Bank of  
26 America.

27           Luna further violated Financial Code section 17414(a)(2) with respect to the thirty-seven  
28

1 unauthorized disbursements by altering the File Settlement Statements<sup>2</sup>. Specifically, the File  
2 Settlement Statements were altered to delete the Bank of America charges although the stated total  
3 expenses on both versions of the Settlement Statements are the same.

4 The following is an example:

5 On October 25, 2006, in escrow number 50434, Luna disbursed \$3,700.00 to herself by way  
6 of trust check number 19834 (ledger states the check number as 19833) made payable to Luna's  
7 personal account at Bank of America. Luna described the disbursement as a Bank of America  
8 charge on the System Settlement Statement. The difference between the stated total expense and the  
9 actual total expense on the File Settlement Statement is \$500.00 on the borrower's side and  
10 \$3,200.00 on the seller's side.

11 B. Inflating Title Pay-off and/ or Charges:

12 Commencing on June 9, 2005 and continuing through at least January 10, 2007, Luna made  
13 at least eight (8) unauthorized disbursements of trust funds to herself and/or Dominguez from eight  
14 escrows totaling \$10,555.00 in violation of Financial Code section 17414(a)(1) and California Code  
15 of Regulations, title 10, sections 1738 and 1738.2. Luna hid the disbursements to herself and/or  
16 Dominguez by describing them as Bank of America charges on the System Settlement Statements in  
17 six of the eight escrows in violation of Financial Code section 17414(a)(2).

18 Luna further violated Financial Code section 17414(a)(2) with respect to the eight  
19 unauthorized disbursements by altering the File Settlement Statements. Specifically, the File  
20 Settlement Statements were altered to delete the Bank of America charges, if included on the System  
21 Settlement Statement, and to inflate the title payoff and/or charges.

22 The following is an example:

23 On July 19, 2005, in escrow number 50194, Luna disbursed \$1,000.00 to Dominguez by way  
24 of trust check number 17638 written to Dominguez's personal account at Bank of America and  
25 inflated the title payoff by \$1,000.00 on the System and File Settlement Statements.

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27  
28 <sup>1</sup> System Settlement Statement is the Settlement Statement printed from the computer system during the examination.

<sup>2</sup> File Settlement Statement is the Settlement Statement actually contained in the escrow file.

1 C. Misappropriating Title Holds and/ or Refunds:

2 Commencing on April 1, 2005 and continuing through at least September 18, 2006, Luna  
3 made at least twenty-three (23) unauthorized disbursements of trust funds to herself and/or  
4 Dominguez from twenty-three escrows totaling \$28,931.86 in violation of Financial Code section  
5 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2 by  
6 misappropriating title holds and/or refunds.

7 The following is an example:

8 On May 4, 2005, a refund from Chicago Title Company was received in for escrow number  
9 41220 in the amount of \$1,948.68. That same day, Luna disbursed \$1,948.68 to herself from escrow  
10 number 41220 by way of trust check number 17388 written to Luna’s personal account at Bank of  
11 America. Luna described the unauthorized disbursement to herself as a Bank of America charge on  
12 the System Settlement Statement in violation of Financial Code section 17414(a)(2). Luna further  
13 violated Financial Code section 17414(a)(2) with respect to the unauthorized disbursement by  
14 altering the File Settlement Statement to delete the Bank of America charge.

15 D. Cancellation of Paid and/ or Outstanding Trust Checks:

16 Commencing on March 21, 2005 and continuing through at least January 22, 2007, Luna  
17 made at least nine (9) unauthorized disbursements of trust funds to herself and/or Dominguez from  
18 six escrows totaling \$33,468.94 in violation of Financial Code section 17414(a)(1) and California  
19 Code of Regulations, title 10, sections 1738 and 1738.2 by canceling paid and/or outstanding trust  
20 checks and reissuing the checks to the personal account of Luna and/or Dominguez at Bank of  
21 America.

22 The following is an example:

23 On August 17, 2005, in escrow number 50171, Luna cancelled trust check number 17759  
24 issued on August 11, 2005 and made payable to Department of Child Support Services in the amount  
25 of \$1,600.00, and then issued trust check number 17771 to Dominguez’s personal account at Bank of  
26 America for the same amount. Luna hid the unauthorized disbursement to Dominguez by describing  
27 the disbursement as a Bank of America charge on the System Settlement Statement in violation of  
28 Financial Code section 17414(a)(2). Luna further violated Financial Code section 17414(a)(2) with

1 respect to the unauthorized disbursement by altering the File Settlement Statement to delete the Bank  
2 of America charge.

3 E. Inflating and/or Failing to Remit Various Charges:

4 Commencing on June 16, 2005 and continuing through at least December 29, 2006, Luna  
5 made at least twelve (12) unauthorized disbursements of trust funds to herself and/or Dominguez  
6 from eleven escrows totaling \$15,697.97 in violation of Financial Code section 17414(a)(1) and  
7 California Code of Regulations, title 10, sections 1738 and 1738.2 by inflating and/or failing to remit  
8 various escrow charges. Luna hid the unauthorized disbursements to herself or Dominguez by  
9 describing them as Bank of America charges on the System Settlement Statements in violation of  
10 Financial Code section 17414(a)(2).

11 Luna further violated Financial Code section 17414(a)(2) with respect to the twelve  
12 unauthorized disbursements by altering the File Settlement Statements. Specifically, the File  
13 Settlement Statements were altered to delete the Bank of America charges and to inflate charges  
14 and/or contain charges that were not remitted.

15 The following is an example:

16 On December 29, 2006, in escrow number 50513, Luna disbursed \$3,000.00 to herself by  
17 way of trust check number 19992 written to Luna's personal account at Bank of America.  
18 Luna hid the unauthorized disbursement to herself by describing the disbursement as a Bank of  
19 America charge on the System Settlement Statement in violation of Financial Code section  
20 17414(a)(2). Luna further violated Financial Code section 17414(a)(2) by deleting the Bank of  
21 America charges and inflating the charges noted for a home warranty policy to First American Home  
22 Buyers Protection and Franchise Tax disbursement on the File Settlement Statement to hide the  
23 unauthorized disbursement to herself. The charges stated on the File Settlement Statement were  
24 \$400.00 and \$23,785.66, respectively. However, the actual charges were \$395.00 and \$20,790.66,  
25 respectively, for a total difference of \$3,000.00.

26 F. Manually Typed Trust Checks Not Posted in the System:

27 Commencing on August 30, 2005 and continuing through at least January 4, 2007, Luna  
28 made at least three (3) unauthorized disbursements of trust funds to herself from two escrows

1 totaling \$30,790.66 in violation of Financial Code section 17414(a)(1) and California Code of  
2 Regulations, title 10, sections 1738 and 1738.2. Luna hid the unauthorized disbursements to herself  
3 by manually typing the checks so that the checks would not be posted in the accounting system in  
4 violation of Financial Code section 17414(a)(2).

5 The checks can be described as follows: Check numbers 17845 and 19817 issued from  
6 escrow 03885 on August 3, 2005 and October 4, 2006 respectively, to Luna’s personal account at  
7 Bank of America for \$5,000.00 each, and check number 20034 issued from escrow 50513 on  
8 January 4, 2007 to Luna’s personal account at Bank of America for \$20,790.66.

9 G. Multiple Methods:

10 Commencing on June 16, 2005 and continuing through at least August 14, 2006, Luna made  
11 at least thirty-five (35) unauthorized disbursements of trust funds to herself and/or Dominguez from  
12 sixteen escrows totaling \$73,574.93 in violation of Financial Code section 17414(a)(1) and  
13 California Code of Regulations, title 10, sections 1738 and 1738.2 by using two or more of the  
14 methods described in subsections A-F above.

15 H. Additional Unauthorized Disbursements:

16 In addition to the above, Luna made a further forty-three (43) unauthorized disbursements to  
17 herself and/or Dominguez from fourteen escrows and the fee account totaling \$49,282.37. The  
18 additional unauthorized disbursements are described as follows:

19 (1) Escrow #50367

20 In escrow number 50367, Luna made three unauthorized disbursements totaling \$4,220.94.  
21 The unauthorized disbursements and manner in which Luna attempted to cover up the unauthorized  
22 disbursements are:

23 (a) On April 27, 2006, Luna made an unauthorized disbursement of trust funds to herself  
24 in the amount of \$1,500.00 by way of trust check number 19453 (posted to the ledger as check  
25 number 18453) written to Luna’s personal account at Bank of America in violation of Financial  
26 Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2.

1 (b) Luna hid the unauthorized disbursement to herself by overstating expense totals on  
2 the System and File Settlement Statements by \$500.00 on the borrower's side and \$1,000.00 on the  
3 seller's side in violation of Financial Code section 17414(a)(2).

4 (c) On or about May 10, 2006, Luna caused cleared check number 19453 for \$1,500.00  
5 to be cancelled (see paragraph a above) on the escrow ledger in violation of Financial Code section  
6 17414(a)(2). On May 15, 2006, a title refund of \$597.97 was received into the escrow and a check  
7 for \$500.00 was issued to the borrower. The cancellation of check number 19543 along with receipt  
8 of the title refund and Luna's overstating the home warranty charge on the Settlement Statements by  
9 \$85.00 minus the \$500.00 check to the borrower gave the appearance of a balance in the escrow of  
10 \$1,682.97.

11 (d) On May 26, 2006, Luna made an unauthorized disbursement of trust funds to herself  
12 in the amount of \$1,682.97 by way of trust check number 19504 (posted to the ledger as check  
13 number 18504) written to Luna's personal account at Bank of America in violation of Financial  
14 Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2.

15 (e) On June 13, 2006, Luna caused cleared check number 19504 for \$1,682.97 to be  
16 cancelled (see paragraph d above) on the escrow ledger in violation of Financial Code section  
17 17414(a)(2). On June 21, 2006, Luna issued a check to the seller for \$645.00 leaving an apparent  
18 escrow balance of \$1,037.97.

19 (f) On July 25, 2006, Luna made an unauthorized disbursement of trust funds to herself  
20 in the amount of \$1,037.97 by way of trust check number 19684 written to Luna's personal account  
21 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
22 Regulations, title 10, sections 1738 and 1738.2.

23 (2) Escrow #50121

24 In escrow number 50121, Luna made three unauthorized disbursements totaling \$5,509.00.  
25 The unauthorized disbursements and manner in which Luna attempted to cover up the unauthorized  
26 disbursements are:

27 (a) On April 1, 2005, Luna made an unauthorized disbursement of trust funds to herself  
28 in the amount of \$1,500.00 by way of trust check number 17218 written to Luna's personal account

1 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
2 Regulations, title 10, sections 1738 and 1738.2.

3 (b) On April 29, 2005, Luna made an unauthorized disbursement of trust funds to herself  
4 in the amount of \$1,410.00 by way of trust check number 17365 written to Luna’s personal account  
5 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
6 Regulations, title 10, sections 1738 and 1738.2.

7 (c) Luna hid the unauthorized disbursements described in paragraphs (a) and (b) above  
8 by overstating expense totals on the System and File Settlement Statements by \$2,300.00 on the  
9 borrower’s side and \$3,209.00 on the seller’s side in violation of Financial Code section  
10 17414(a)(2).

11 (d) On May 11, 2005, Luna made an unauthorized disbursement of trust funds to herself  
12 in the amount of \$2,599.00 by way of trust check number 17409 written to Luna’s personal account  
13 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
14 Regulations, title 10, sections 1738 and 1738.2. The trust funds taken were described as a title hold  
15 and deposit on the seller’s side of the Settlement Statements.

16 (3) Escrow #50200

17 In escrow number 50200, Luna made one unauthorized disbursement for \$9,882.00. The  
18 unauthorized disbursement and manner in which Luna attempted to cover up the unauthorized  
19 disbursement is:

20 (a) On August 5, 2005, Luna made an unauthorized disbursement of trust funds to herself  
21 in the amount of \$9,882.00 by way of trust check number 17742 written to Luna’s personal account  
22 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
23 Regulations, title 10, sections 1738 and 1738.2.

24 (b) Luna hid the unauthorized disbursement described in paragraph (a) above by  
25 overstating expense totals on the System and File Settlement Statements by \$9,980.00 on the  
26 borrower’s side in violation of Financial Code section 17414(a)(2).

27 (4) Escrow #50205

28 In escrow number 50205, Luna made one unauthorized disbursement in the amount of

1 \$712.13. The unauthorized disbursement and manner in which Luna attempted to cover up the  
2 unauthorized disbursement is:

3 (a) On August 12, 2005, Luna made an unauthorized disbursement of trust funds to  
4 herself in the amount of \$712.13 by way of trust check number 17769 written to Luna’s personal  
5 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
6 of Regulations, title 10, sections 1738 and 1738.2.

7 (b) Luna hid the unauthorized disbursement described in paragraph (a) above by  
8 describing it as a Bank of America charge on the System Settlement Statement and by overstating  
9 the title payoff and understating the borrower’s proceeds on the File Settlement Statements by  
10 \$1,000.00 in violation of Financial Code section 17414(a)(2).

11 (5) Escrow #50457

12 In escrow number 50457, Luna made two unauthorized disbursements totaling \$1,619.13.  
13 The unauthorized disbursements and manner in which Luna attempted to cover up the unauthorized  
14 disbursements are:

15 (a) On October 25, 2006, Luna made an unauthorized disbursement of trust funds to  
16 herself in the amount of \$1,285.00 by way of trust check number 19825 (posted as check number  
17 19824 on the ledger) written to Luna’s personal account at Bank of America in violation of Financial  
18 Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2.

19 (b) On November 17, 2006, Luna made an unauthorized disbursement of trust funds to  
20 herself in the amount of \$334.13 by way of trust check number 19892 written to Luna’s personal  
21 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
22 of Regulations, title 10, sections 1738 and 1738.2.

23 (c) Luna hid the unauthorized disbursements described in paragraphs (a) and (b) above  
24 by describing them as Bank of America charges on the System Settlement Statement and by  
25 overstating the title payoff on the File Settlement Statements in violation of Financial Code section  
26 17414(a)(2).

27 (6) Escrow #50274

28 In escrow number 50274, Luna made one unauthorized disbursement in the amount of

1 \$299.96. The unauthorized disbursement and manner in which Luna attempted to cover up the  
2 unauthorized disbursement is:

3 (a) On November 9, 2005, Luna made an unauthorized disbursement of trust funds to  
4 herself in the amount of \$299.96 by way of trust check number 18009 written to Luna’s personal  
5 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
6 of Regulations, title 10, sections 1738 and 1738.2.

7 (b) Luna hid the unauthorized disbursement described in paragraph (a) by describing it as  
8 a Bank of America charge on the System Settlement Statement and by including a non-existent  
9 appraisal fee payment on the File Settlement Statement in violation of Financial Code section  
10 17414(a)(2).

11 (7) Escrow #50139

12 In escrow number 50139, Luna made one unauthorized disbursement in the amount of  
13 \$914.09. The unauthorized disbursement and manner in which Luna attempted to cover up the  
14 unauthorized disbursement is:

15 (a) On June 22, 2005, Luna made an unauthorized disbursement of trust funds to herself  
16 in the amount of \$914.09 by way of trust check number 17560 (posted as check number 17559 on  
17 the ledger) written to Luna’s personal account at Bank of America in violation of Financial Code  
18 section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2.

19 (b) Luna hid the unauthorized disbursement described in paragraph (a) by including a  
20 non-existent 2<sup>nd</sup> Half Tax plus penalty payment on the Settlement Statements in violation of  
21 Financial Code section 17414(a)(2).

22 (8) Escrow #50253

23 In escrow number 50253, Luna made one unauthorized disbursement in the amount of  
24 \$350.00. The unauthorized disbursement is:

25 (a) On November 9, 2005, Luna made an unauthorized disbursement of trust funds to  
26 herself in the amount of \$350.00 by way of trust check number 18010 written to Luna’s personal  
27 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
28 of Regulations, title 10, sections 1738 and 1738.2. The funds taken were a title refund to the

1 borrower.

2 (9) Escrow #50159

3 In escrow number 50159, Luna made one unauthorized disbursement in the amount of  
4 \$2,845.00. The unauthorized disbursement is:

5 (a) On June 22, 2005, Luna made an unauthorized disbursement of trust funds to herself  
6 in the amount of \$2,845.00 by way of trust check number 17561 (posted to the ledger as check  
7 number 17560) written to Luna’s personal account at Bank of America in violation of Financial  
8 Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and 1738.2.  
9 The funds taken represented an overpayment of broker fees by the lender in the amount of  
10 \$11,000.00, which escrow returned only \$9,000.00 to the lender, and non-existent processing fees  
11 and broker fees to the lender charged to the borrower in the amount of \$845.00.

12 (10). Escrow #50506

13 In escrow number 50506, Luna made one unauthorized disbursement in the amount of  
14 \$1,000.00. The unauthorized disbursement and manner in which Luna attempted to cover up the  
15 unauthorized disbursement is:

16 (a) On December 4, 2006, Luna made an unauthorized disbursement of trust funds to  
17 herself in the amount of \$1,000.00 by way of trust check number 19948 written to Luna’s personal  
18 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
19 of Regulations, title 10, sections 1738 and 1738.2.

20 (b) Luna hid the unauthorized disbursement described in paragraph (a) by indicating  
21 funds due borrowers as \$84,830.00 on the Settlement Statements when actual funds due borrower  
22 was \$85,830.00 in violation of Financial Code section 17414(a)(2).

23 (11) Escrow #50160

24 In escrow number 50160, Luna made one unauthorized disbursement in the amount of  
25 \$1,000.00. The unauthorized disbursement and manner in which Luna attempted to cover up the  
26 unauthorized disbursement is:

27 (a) On June 1, 2005, Luna made an unauthorized disbursement of trust funds to herself in  
28 the amount of \$1,000.00 by way of trust check number 17512 written to Luna’s personal account at

1 Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
2 Regulations, title 10, sections 1738 and 1738.2.

3 (b) Luna hid the unauthorized disbursement described in paragraph (a) by indicating  
4 funds due borrowers as \$6,500.28 on the Settlement Statements when actual funds due borrower was  
5 \$7,500.28 in violation of Financial Code section 17414(a)(2).

6 (12) Escrow #50216

7 In escrow number 50216, Luna made one unauthorized disbursement in the amount of  
8 \$1,000.00. The unauthorized disbursement and manner in which Luna attempted to cover up the  
9 unauthorized disbursement is:

10 (a) On July 29, 2005, Luna made an unauthorized disbursement of trust funds to herself  
11 in the amount of \$1,000.00 by way of trust check number 17703 written to Luna’s personal account  
12 at Bank of America in violation of Financial Code section 17414(a)(1) and California Code of  
13 Regulations, title 10, sections 1738 and 1738.2.

14 (b) Luna hid the unauthorized disbursement described in paragraph (a) by inflating  
15 charges to the borrowers on the File Settlement Statement in violation of Financial Code section  
16 17414(a)(2).

17 (13) Escrow #50303

18 In escrow number 50303, Luna made one unauthorized disbursement in the amount of  
19 \$1,625.06. The unauthorized disbursement is:

20 (a) On January 10, 2006, Luna made an unauthorized disbursement of trust funds to  
21 herself in the amount of \$1,625.06 by way of trust check number 18133 written to Luna’s personal  
22 account at Bank of America in violation of Financial Code section 17414(a)(1) and California Code  
23 of Regulations, title 10, sections 1738 and 1738.2. The funds taken included a \$547.50 credit to the  
24 borrower from the lender, \$96.56 of the funds sent by the lender to title, and \$981.00 owed to a  
25 termite company.

26 (14) Escrow #50356

27 In escrow number 50303, Luna made two unauthorized disbursements totaling 2,455.06. The  
28 unauthorized disbursements and manner in which Luna attempted to cover up the unauthorized

1 disbursements are:

2 (a) On May 17, 2006, Luna made an unauthorized disbursement of trust funds to herself  
3 in the amount of \$1,455.06 by way of trust check number 19488 (posted to the escrow ledger as  
4 check number 18488) written to Luna’s personal account at Bank of America in violation of  
5 Financial Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and  
6 1738.2. The funds represented a title refund.

7 (b) On May 17, 2006, Luna made an unauthorized disbursement of trust funds to herself  
8 in the amount of \$1,000.00 by way of trust check number 19466 (posted to the escrow ledger as  
9 check number 18466) written to Luna’s personal account at Bank of America in violation of  
10 Financial Code section 17414(a)(1) and California Code of Regulations, title 10, sections 1738 and  
11 1738.2.

12 (15) Fee Account:

13 Commencing on June 9, 2005 and continuing through at least January 22, 2006, Luna made  
14 at least twenty-three (23) unauthorized disbursements of trust funds to herself and/or Dominguez  
15 from the fee account totaling \$15,850.00 in violation of Financial Code section 17414(a)(1) and  
16 California Code of Regulations, title 10, sections 1738 and 1738.2.

17 5. Violations of Financial Code sections 17414(a)(1) and 17414(a)(2) and California  
18 Code of Regulations, title 10, sections 1738, 1738.1 and 1738.2 are grounds under Financial Code  
19 section 17423 to bar a person from any position of employment, management or control under the  
20 California Escrow Law.

21 6. On September 11, 2007, the Commissioner issued a Notice of Intention to Issue  
22 Order Pursuant to California Financial Code Section 17423 (Bar From Employment, Management or  
23 Control), Accusation and accompanying documents against Luna based upon the above, and Luna  
24 was personally served with those documents on October 5, 2007. The Department has received no  
25 request for a hearing or any other response from Luna and the time to request a hearing has expired.

26 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that Gloria Luna  
27 a/k/a Gloria Noriega is hereby barred from any position of employment, management or control of  
28 any escrow agent. This order is effective as of the date hereof.

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Dated: October 24, 2007  
Los Angeles, CA

PRESTON DuFAUCHARD  
California Corporations Commissioner

By \_\_\_\_\_  
Alan S. Weinger  
Lead Corporations Counsel