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9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA
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12 In the Matter of THE COMMISSIONER OF) File No.: 963-0037
BUSINESS OVERSIGHT,)
13) ORDER APPOINTING PETER A. DAVIDSON
Complainant,) AS CONSERVATOR PURSUANT TO
14) CALIFORNIA FINANCIAL CODE SECTION
vs.) 17630
15)
16 BUILDERS CONTROL SERVICE CO.,)
17)
Respondent.)
18)
19)

20 I, JAN LYNN OWEN, Commissioner of Business Oversight of the State of California
21 (“Commissioner”), pursuant to Financial Code section 17630, do hereby appoint Peter A. Davidson
22 of the law firm of Erwin, Cohen & Jessup LLP as Conservator of the trust funds and any indemnity
23 funds paid or to be paid by Escrow Agents’ Fidelity Corporation and all bank and escrow records
24 pertinent thereto of Builders Control Service Co. (“Builders Control”), including, but not limited to,
25 all Builders Control trust funds on deposit with 1st Enterprise Bank, Farmers and Merchants Bank,
26 Citizens Business Bank, Pacific City Bank, Banc of California formerly known as Private Bank of
27 California, or any other financial institution, whether in the name of Builders Control Service Co.,
28 Insurance/Surety Services, Inc. or other name (“trust property”), in order that he may take possession

1 of the trust property for the protection of the escrow agent, the customers of the escrow agent, and
2 the public.

3 The Conservator, pursuant to Financial Code section 17630, shall have all the rights, powers,
4 and privileges of Builders Control Service Co., its officers and directors, and shall have the same
5 powers and rights as the Commissioner, while he is in possession of the trust property of Builders
6 Control Service Co. These rights, powers and privileges shall include all acts as are necessary or
7 expedient to collect, conserve and protect the trust property of Builders Control Service Co.,
8 including (a) the collection, recovery and compromise of claims, deeds, property and rights in favor
9 of or belonging to Builders Control Service Co. regarding the subject trust account(s); (b) the
10 execution of all deeds, conveyances, agreements, compliances and instruments of every kind and
11 nature in connection with the trust property of Builders Control Service Co.; (c) the employment of
12 accountants and attorneys to the extent reasonably necessary; and (d) with prior consent of the
13 Commissioner, the institution, maintenance and defense of suits related to the affairs of the trust
14 property of Builders Control Service Co., the filing of petitions or applications in court or elsewhere
15 with respect to the trust property of Builders Control Service Co., for all purposes.

16 All expenses of the Conservatorship shall be paid out of the assets of Builders Control
17 Service Co. and shall be a lien thereon which shall be prior to any other lien.

18 This Order is effective on the date hereof and may be amended or terminated upon further
19 order of the California Corporations Commissioner.

20 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

21 Dated: March 11, 2014
22 Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

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By _____
Mary Ann Smith
Deputy Commissioner
Enforcement Division

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