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California Corporations Commissioner
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BEFORE THE DEPARTMENT OF CORPORATIONS

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OF THE STATE OF CALIFORNIA

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In the Matter of the Order Imposing Penalties of)
12 THE CALIFORNIA CORPORATIONS)
COMMISSIONER,)

File No.: 963-5083

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Complainant,)

**ORDER IMPOSING PENALTIES
PURSUANT TO CALIFORNIA FINANCIAL
CODE SECTION 17408**

14

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v.)

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ESCROW CLOSING SERVICES, INC.,)

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Respondent.)

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TO: ESCROW CLOSING SERVICES, INC.
6230 Stoneridge Mall Road
Pleasanton, California 94588

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NOW THEREFORE the California Corporations Commissioner ("Commissioner") having
23 found that Escrow Closing Services, Inc. ("Escrow Closing Services") failed to timely file its annual
24 audit report containing audited financial statements ("audit report") for its fiscal year ended
25 December 31, 2006 as required by Financial Code section 17406, it is hereby ordered, pursuant to
26 Financial Code section 17408, that Escrow Closing Services pay the Commissioner the sum of
27 \$4,300.00.

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1 Pursuant to Financial Code section 17406, Escrow Closing Services was required to submit its
2 audit report for the fiscal year ended December 31, 2006 to the Commissioner on or before April 16,
3 2007.

4 The Commissioner notified Escrow Closing Services in writing on or about November 14,
5 2006 of the due date of the audit report as well as the possibility of the imposition of fines if the audit
6 report was filed late.

7 On or about May 10, 2007, the Commissioner again notified Escrow Closing Services in
8 writing of the due date of the audit report and the possibility of the imposition of fines if the audit
9 report was filed late

10 On or about May 30, 2007, Escrow Closing Services filed its audit report with the
11 Commissioner, forty-three (43) days after the April 16, 2007 filing deadline.

12 Financial Code section 17408, subdivisions (b) - (e) provide as follows:

13 (b) The commissioner may impose, by order, a penalty on any person who
14 fails, within the time specified in any written demand of the commissioner, (1)
15 to make and file with the commissioner any report required by law or
16 requested by the commissioner . . . The amount of the penalty may not exceed
17 one hundred dollars (\$100) for each day for the first five days the report or
information is overdue, and thereafter may not exceed five hundred dollars
(\$500) for each day the report or information is overdue.

18 (c) If, after an order has been made under subdivision (b), a request for
19 hearing is filed in writing within 30 days of the date of service of the order by
20 the person to whom the order was directed, a hearing shall be held in
21 accordance with the Administrative Procedure Act, Chapter 5 (commencing
with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code,
and the commissioner shall have all the powers granted under that chapter.

22 (d) If the person fails to file a written request for a hearing within 30 days
23 of the date of service of the order, the order imposing the penalty shall be
24 deemed a final order of the commissioner, and the penalty shall be paid within
five business days.

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(e) If a hearing is requested, the penalty shall be paid within five business days after the effective date of any decision in the case ordering payment to be made.

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DATED: October 3, 2007
Los Angeles, CA

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PRESTON DuFAUCHARD
California Corporations Commissioner

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By _____
Alan S. Weinger
Lead Corporations Counsel

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