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California Corporations Commissioner
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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.: 963-2086
13 CALIFORNIA CORPORATIONS)
14 COMMISSIONER,) ORDER IMPOSING PENALTIES
15 Complainant,) PURSUANT TO CALIFORNIA
16 vs.) FINANCIAL CODE SECTION 17408
17 SAGE CREDIT ESCROW, INC.,)
18 Respondent.)
19)
20)

21 TO: SAGE CREDIT ESCROW, INC.
22 8001 Irvine Center Drive, Suite 220
23 Irvine, California 92618

24 NOW THEREFORE the California Corporations Commissioner (“Commissioner”)
25 having found that Sage Credit Escrow, Inc. failed to file its annual audit report containing
26 audited financial statements for its fiscal year ended May 31, 2007 as required by Financial
27 Code section 17406, Sage Credit Escrow, Inc. is hereby ordered, pursuant to Financial Code
28 section 17408, to pay to the Commissioner the sum of \$19,300.00, plus an additional
\$100.00 a day for each day after March 26, 2008 that the annual audit report is not filed.

1 Pursuant to Financial Code section 17406, Sage Credit Escrow, Inc. (“Sage Credit”)
2 was required to submit its annual audit report for the fiscal year ended May 31, 2007 (“2007
3 audit report”) to the Commissioner on or before September 15, 2007.

4 On or about April 2, 2007, the Commissioner notified Sage Credit in writing that its
5 2007 audit report was due September 15, 2007. Sage Credit failed to file the 2007 audit
6 report by September 15, 2007.

7 On or about September 27, 2007, a follow up phone call was made to Lillian Delgado,
8 manager of Sage Credit, concerning its failure to file the 2007 audit report. Sage Credit was
9 notified that failure to file to the 2007 audit report could result in assessment of penalties, a
10 special examination and/or administrative action. A second phone call was made on or about
11 December 18, 2007 to Lillian Delgado, who acknowledged the requirements.

12 Sage Credit has yet to file the 2007 audit report as required by Financial Code section
13 17406.

14 Financial Code Section 17408, subdivisions (b) – (e) provides as follows:

15 (b) The commissioner may impose, by order, a penalty on any person
16 who fails, within the time specified in any written demand of the
17 commissioner, (1) to make and file with the commissioner any report
18 required by law or requested by the commissioner. . . . The amount of the
19 penalty shall be one hundred dollars (\$100) for each day for the first five
20 days the report or information is overdue and, thereafter, five hundred dollars
21 (\$500) for each day the report or information is overdue.

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

(d) If the person fails to file a written request for a hearing within 30 days
of the date of service of the order, the order imposing the penalty shall be
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 paid.

Dated: March 26, 2008
Sacramento, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Alan S. Weinger, Lead Corporations Counsel