PRESTON DuFAUCHARD
California Corporations Commissioner
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BEFORE THE DEPARTMENT OF CORPORATIONS

OF THE STATE OF CALIFORNIA

In the Matter of THE CALIFORNIA CORPORATIONS COMMISSIONER, Complainant, v. MARKET STREET ESCROW, Respondent.	File No.: 963-2209 ORDER TO DISCONTINUE ESCROW ACTIVITIES PURSUANT TO CALIFORNIA FINANCIAL CODE SECTION 17415

TO: MARKET STREET ESCROW
18928 Ventura Blvd.
Tarzana, CA 91356

THE CALIFORNIA CORPORATIONS COMMISSIONER FINDS THAT:

MARKET STREET ESCROW has failed to comply with the liquid asset and tangible net worth requirements of section 17210 of the Escrow Law, set forth at California Financial Code section 17000 *et. seq*. Market Street Escrow ("Market") has not met the liquid asset or tangible net worth requirements of Financial Code Section 17210 since before September 30, 2009.

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State of California – Department of Corporations

The 2009 annual report filed by Market disclosed that Market had a liquid asset deficiency of eleven thousand eight hundred and fifty-eight dollars ($11,858.00) and a tangible net worth deficiency of fifty thousand five hundred and eight dollars ($50,508.00). The Department sent a letter to Market on or about October 20, 2010 regarding the deficiencies and requested a response within thirty (30) days. No response was received.

The annual report for 2010, filed by Market, showed continued serious liquid asset and tangible net worth deficiencies. Liquid assets were deficient by forty three thousand two hundred and twenty-seven dollars ($43,227.00), and gross tangible net worth was deficient by seventy-four thousand five hundred and eighty-three dollars ($74,583.00). On or about May 25, 2011, the Department sent a letter to Market requesting proof of correction of these deficiencies within thirty (30) days. No response was received.

Based upon the foregoing, Market has permitted its tangible net worth to be lower than the minimum required by law and has failed to maintain its liquid assets in excess of current liabilities as set forth in Section 17210.

Section 17415 of the Financial Code provides as follows:

> (a) If the commissioner, as a result of any examination or from any report made to him or her, shall find that any person subject to this division is in an insolvent condition, is conducting escrow business in such an unsafe or injurious manner as to render further operations hazardous to the public or to customers, has failed to comply with the provisions of Section 17212.1 or 17414.1, has permitted its tangible net worth to be lower than the minimum required by law, has failed to maintain its liquid assets in excess of current liabilities as set forth in Section 17210, or has failed to comply with the bonding requirements of Chapter 2 (commencing with Section 17200) of this division, the commissioner may, by an order addressed to and served by registered or certified mail or personal service on such person and on any other person having in his or her possession or control any escrowed funds, trust funds or other property deposited in escrow with said person, direct discontinuance of the disbursement of trust funds by the parties or any of them, the receipt of trust funds, the delivery or recording of documents received in escrow, or other business operations. No person having in his or her possession any of these funds or documents shall be liable for failure to comply with the order unless he or she has received written notice of the order. Subject to subdivision (b), the order shall remain in effect until set aside by the commissioner in whole or in part, the person has been adjudged bankrupt, or pursuant to

> Chapter 6 (commencing with Section 17621) of this division the commissioner has assumed possession of the escrow agent.
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> (b) Within 15 days from the date of an order pursuant to subdivision (a), the person may request a hearing under the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Division 3 of Title 2 of the Government Code. Upon receipt of a request, the matter shall be set for hearing to commence within 30 days after such receipt unless the person subject to this division consents to a later date. If no hearing is requested within 15 days after the mailing of service of such notice and none is ordered by the commissioner, the failure to request a hearing shall constitute a waiver of the right for a hearing. Neither the request for a hearing nor the hearing itself shall stay the order issued by the commissioner under subdivision (a).

NOW, THEREFORE, GOOD CAUSE APPEARING, it is hereby ORDERED pursuant to California Financial Code section 17415 that MARKET STREET ESCROW immediately discontinue acceptance of any new escrow or joint control business, and of money, documents or other property in connection therewith. This order is to remain in full force and effect until further order of the Commissioner.

Dated: August 25, 2011
Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Alan S. Weinger
Deputy Commissioner