

1 MARY ANN SMITH  
Deputy Commissioner  
2 SEAN M. ROONEY  
Assistant Chief Counsel  
3 AFSANEH EGHBALDARI (State Bar No. 250107)  
4 Counsel  
5 Department of Business Oversight  
1350 Front Street, Room 2034  
6 San Diego, CA 92101  
Telephone: (619) 645-3166  
7 Facsimile: (619) 525-4045  
8 Attorneys for Complainant

9  
10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
11 OF THE STATE OF CALIFORNIA

12  
13 In the Matter of: ) Escrow License No.: 963-0359  
)  
14 THE COMMISSIONER OF BUSINESS )  
OVERSIGHT, ) ORDER REVOKING ESCROW AGENT’S  
15 ) LICENSE  
16 Complainant, )  
17 v. )  
18 COLONY ESCROW COMPANY, )  
19 Respondent. )  
20 \_\_\_\_\_)

21 The Commissioner of Business Oversight (“Commissioner”) finds that:

22 1. Colony Escrow Company (“Colony”) is an escrow agent licensed by the  
23 Commissioner of Business Oversight (“Commissioner”) pursuant to the Escrow Law of the State of  
24 California (California Financial Code Section 17000, et seq.) (“Escrow Law”).

25 2. Colony’s principal place of business was at 9320 Fuerte Drive, Suite 102, La Mesa,  
26 CA 91941.

27 ///

28 ///

1           3. Pursuant to California Financial Code section 17600, an escrow agent's license  
2 remains in effect until surrendered, revoked, or suspended. A license is not surrendered until the  
3 Commissioner has reviewed and accepted the closing audit report, a determination has been made by  
4 the Commissioner that acceptance of the surrender is in the public interest, and tender of the license  
5 is accepted in writing by the Commissioner.

6           4. On September 28, 2015, the Department of Business Oversight (“Department”)  
7 received written notification from Colony of its intent to surrender its escrow agent’s license.

8           5. On September 30, 2015, the Department sent Colony written instructions regarding the  
9 surrender of its escrow agent’s license informing Colony about the license surrender requirements of  
10 California Financial Code section 17600, specifically its obligation to submit a closing audit within  
11 105 days of its surrender notice.

12           6. The closing audit report was due on January 13, 2016. Colony failed to submit the  
13 closing audit report within 105 days of the written notice to the Commissioner as required by  
14 California Financial Code section 17600.

15           7. On February 23, 2016, the Department sent another letter to Colony in which the  
16 Department noted that it had not yet received Colony’s closing audit, and informed Colony that its  
17 license was subject to revocation, pursuant to California Financial Code section 17602.5, unless the  
18 closing audit was submitted within ten business days of the letter.

19           8. Colony failed to submit a closing audit report to the Commissioner.

20           9. On August 30, 2016, the Commissioner issued and served a Notice of Intention to  
21 Issue Order Revoking Escrow Agent’s License, Accusation and accompanying documents against  
22 Colony. The Commissioner has not received a hearing request from Colony and the time to request a  
23 hearing has now expired.

24           10. The above-described violation constitutes grounds under California Financial Code  
25 sections 17602.5 and 17608 to revoke an escrow agent’s license.

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

NOW GOOD CAUSE APPEARING THEREFORE, pursuant to California Financial Code sections 17602.5 and 17608, the escrow agent’s license issued to Colony Escrow Company is hereby revoked. This order is effective as of the date hereof.

Dated: September 19, 2016  
Sacramento, CA

JAN LYNN OWEN  
Commissioner of Business Oversight

By \_\_\_\_\_  
MARY ANN SMITH  
Deputy Commissioner  
Enforcement Division