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California Corporations Commissioner
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Deputy Commissioner
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6 Attorneys for Complainant

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8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

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In the Matter of the Accusation of
11 THE CALIFORNIA CORPORATIONS
COMMISSIONER,

) File No.: 963-2500
)
) **ACCUSATION**
)

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Complainant,

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v.

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EFFICIENT ESCROW, INC.,

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Respondent.

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The Complainant is informed and believes, and based upon such information and belief,
19 alleges and charges Respondent as follows:

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I.

22 Respondent Efficient Escrow, Inc. ("Efficient Escrow") is an escrow agent licensed by the
California Corporations Commissioner ("Commissioner" or "Complainant") pursuant to the Escrow
23 Law of the State of California (California Financial Code, § 17000, *et seq.*) ("Escrow Law").

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II.

26 Pursuant to Financial Code section 17406, all licensees under the Escrow Law are required to
file an annual audit report containing audited financial statements ("annual audit report") within one
27 hundred five (105) days after the close of their fiscal year. Efficient Escrow's fiscal year-end is
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1 December 31st. Accordingly, Efficient Escrow was required to file its annual audit report for the
2 fiscal year ended December 31, 2008 on or before April 15, 2009.

3 On or about November 17, 2008, the Commissioner notified Efficient Escrow in writing that
4 its audit report was due by April 15, 2009.

5 On April 15, 2009, Excel Escrow failed to submit its annual audit report to the Commissioner.

6 On or about June 26, 2009, the Commissioner made a written demand for the imposition of
7 penalties against Efficient Escrow for its annual audit report that was due on April 15, 2009.

8 Efficient Escrow has yet to submit the annual audit report as required by Financial Code
9 section 17406.

10 **III.**

11 Financial Code section 17406, subdivision (a) provides:

12 (a) Each licensee shall submit to the commissioner, at such licensee's own
13 expense, an audit report containing audited financial statements covering the
14 calendar year or, if such licensee has an established fiscal year, then for such
15 fiscal year, within 105 days after the close of each such calendar or fiscal year.
At such time, each licensee shall also file such additional relevant information
as the commissioner may require.

16 Financial Code section 17602.5 provides in pertinent part as follows:

17 If any licensed escrow agent fails to make any reports required by law or by
18 the commissioner within ten (10) days from the date designated for the making
of the reports, or within any extension of time granted by the commissioner,
19 . . . such failure shall constitute grounds for the suspension or revocation of the
20 license held by such escrow agent.

21 Financial Code section 17608 provides in pertinent part:

22 The commissioner may, after notice and a reasonable opportunity to be heard,
23 suspend or revoke any license if he finds that:

24 (b) The licensee has violated any provision of this division or any rule
made by the commissioner under and within the authority of this division.

25 **IV.**

26 The Complainant finds that, by reason of the foregoing, Efficient Escrow, Inc. has violated
27 Financial Code section 17406 which constitutes grounds for the suspension of its escrow agent's
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1 license.

2 WHEREFORE, IT IS PRAYED that the escrow agent's license of Efficient Escrow, Inc. be
3 suspended for a period of thirty (30) days or until its annual audit report for the fiscal year ended
4 December 31, 2008 is filed, whichever is longer.

5 DATED: September 29, 2009
6 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

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By _____

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Blaine A. Noblett
Corporations Counsel
Enforcement Division

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