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BEFORE THE DEPARTMENT OF CORPORATIONS

OF THE STATE OF CALIFORNIA

In the Matter of the Petition for Reinstatement of: CHRISTOPHER ALLEN RUSSELLO	File No.: 963-0003 **ORDER DENYING PETITION FOR REINSTATEMENT (Govt. Code, § 11522)**

TO: KAMALA D. HARRIS
ATTORNEY GENERAL, STATE OF CALIFORNIA
California Department of Justice
P.O. Box 944255
Sacramento, California 94244-2550

CHRISTOPHER ALLEN RUSSELLO
25223 Village 25
Camarillo, California 93012

Petitioner, Christopher Allen Russello ("Russello"), has filed a petition for reinstatement of position of employment, management or control of an escrow agent from which Russello was barred in proceedings entitled *In the Matter of the Accusation of the Commissioner of Corporations of the State of California v. Christopher Allen Russello*, OAH Case No. L-56593. This agency having considered the petition and written argument, finds that:

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Petitioner is not entitled to reinstatement of employment, management or control of an escrow agent for the following reasons:

1. Russello states in his petition that “in the past several years [he] has been employed as an escrow agent for various title insurance companies and real estate brokers that are exempt from the licensing of the Department of Corporations as per financial code section [sic].” Despite this assertion, Russello fails to name those companies for whom he has worked as an escrow agent, the dates of his employment, and the positions he held while so employed. In addition to these omissions of fact, Russello fails to provide any letters of support from his former employers to aid his claim of rehabilitation. The only proof of rehabilitation Russello offers are his own self-serving statements, including his assertion that he “poses no threat of public safety, [and] therefore Respondent has been completely rehabilitated . . .” Russello fails to provide any independent corroborating evidence in support of his claim of rehabilitation.

2. Russello has attempted no educational training, which would assist in his rehabilitation process, other than what he was absolutely required to undertake to maintain his real estate broker's license. Additionally, the main focus of those courses Russello is required to take in connection with his broker's license concern subjects relating to real estate sales and not issues pertinent to the independent escrow industry, such as escrow processing and handling and accounting of trust funds under the California Escrow Law (Fin. Code, § 17000 et seq.) ("Escrow Law"). Russello has not otherwise demonstrated that he will not violate the Escrow Law and/or orders issued thereunder in the future, or that he will possess the technical skills or knowledge of the policies, procedures, and controls necessary to competently be employed with, or manage or control an escrow agent, in compliance with the Escrow Law and/or orders issued thereunder.

3. Furthermore, Russello's violations of the Escrow Law, as set forth in the findings of the Administrative Law Judge in the proceedings entitled *In the Matter of the Accusation of the Commissioner of Corporations of the State of California v. Christopher Allen Russello*, are of such an egregious nature because he was found to have knowingly disbursed or caused the disbursal of trust funds otherwise than in accordance with the escrow instructions in violation of Financial Code

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section 17414, subdivision (a), knowingly abstracted or misappropriated trust funds in violation of Financial Code section 17414, subdivision (b), and knowingly paid out money from escrow accounts in excess of the credit balance of such escrow accounts in violation of California Code of Regulations, Title 10, section 1738.1, amongst other violations. As indicated above, Russello fails to demonstrate, by way of his petition and written argument, that he no longer poses a threat to the public given his past misconduct.

4. In light of the foregoing, Russello has offered no evidence to demonstrate that he has been sufficiently rehabilitated. Moreover, he has failed to show that he is presently capable of holding a position of employment, management or control of an escrow company.

WHEREFORE, IT IS ORDERED that the Petition be denied.

DATED: December 29, 2011
Los Angeles, CA

JAN LYNN OWEN

California Corporations Commissioner

By_____
Alan S. Weinger
Deputy Commissioner
Enforcement Division

State of California - Department of Corporations