

# Terms Completed

## ORDER SUMMARY – Case Number: C-10-327

**Name(s):** Escrowquick Inc

**Order Number:** C-10-327-11-CO01

**Effective Date:** August 15, 2011

**License Number:** \_\_\_\_\_  
**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  
 If applicable, you must specifically note the ending dates of terms.

**License Effect:** n/a

**Not Apply Until:** n/a

**Not Eligible Until:** \_\_\_\_\_

**Prohibition/Ban Until:** Prohibition until Licensed

<b>Investigation Costs</b>	\$325	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 7.15.11
<b>Fine</b>	\$1,750	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 7.15.11
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

**Comments:** \_\_\_\_\_

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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING:  
Whether there has been a violation of the  
Escrow Agent Registration Act of Washington by:  
  
ESCROWQUICK, INC.,  
Respondent.

No.: C-10-327-11-CO01  
  
CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and EscrowQuick, Inc. (Respondent), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 of the Revised Code of Washington (RCW) and RCW 34.05.060 of the Administrative Procedure Act based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-10-327-10-SC01 (Statement of Charges), entered November 15, 2010, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above-captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges. Respondent is agreeing not to contest the Statement of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

1           A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter  
2 of the activities discussed herein.

3           B. **Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a  
4 hearing before an administrative law judge, and hereby waives its right to a hearing and any and all  
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached  
6 herein. Accordingly, Respondent, by the signatures of its representatives below, withdraws its appeal  
7 to the Office of Administrative Hearings.

8           C. **No Admission of Liability.** It is AGREED that Respondent does not admit to any  
9 wrongdoing by entry of this Consent Order.

10          D. **Agreement to Cease and Desist.** It is AGREED that Respondent shall not conduct any  
11 escrow business for Washington property or consumers without first obtaining a license to do so.

12          E. **Prohibition from Industry.** It is AGREED that Respondent is prohibited from  
13 participating in the conduct of the affairs of any escrow agent licensed by the Department or subject  
14 to licensure or regulation by the Department, in any capacity, unless properly licensed to do so.

15          F. **Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of  
16 \$1,750 in the form of a cashier's check made payable to the "Washington State Treasurer" upon entry  
17 of this Consent Order.

18          G. **Investigation Fee.** It is AGREED that Respondent shall pay to the Department an  
19 investigation fee of \$325 in the form of a cashier's check made payable to the "Washington State  
20 Treasurer" upon entry of this Consent Order. The Fine and Investigation Fee may be paid together in  
21 one \$2,075 cashier's check made payable to the "Washington State Treasurer."

22          H. **Records Retention.** It is AGREED that Respondent, its officers, employees, and agents  
23 shall maintain records in compliance with the Act and provide the Director with the location of the

1 books, records, and other information relating to Respondent's escrow business, and the name,  
2 address, and telephone number of the individual responsible for maintenance of such records in  
3 compliance with the Act.

4 I. **Authority to Execute Order.** It is AGREED that the undersigned have represented and  
5 warranted that they have the full power and right to execute this Consent Order on behalf of the  
6 parties represented.

7 J. **Non-Compliance with Order.** It is AGREED that Respondent understands that failure to  
8 abide by the terms and conditions of this Consent Order may result in further legal action by the  
9 Director. In the event of such legal action, Respondent may be responsible to reimburse the Director  
10 for the cost incurred in pursuing such action, including but not limited to, attorney fees.

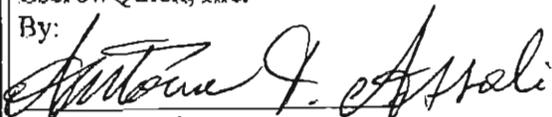
11 K. **Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily  
12 entered into this Consent Order, which is effective when signed by the Director's designee.

13 L. **Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read  
14 this Consent Order in its entirety and fully understands and agrees to all of the same.

15 **RESPONDENT:**

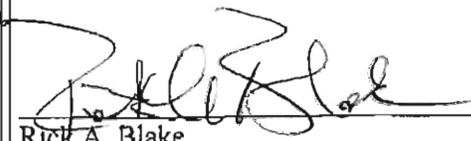
16 **EscrowQuick, Inc.**

17 By:

18 

19 Antoine Assali  
President

Date 7/29/11

21 

22 Rick A. Blake  
23 Attorney at Law  
Attorney for Respondent

Date 8/5/11

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 15<sup>th</sup> DAY OF August, 2011



*Deborah Bortner*

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

*Steven C. Sherman*

STEVEN C. SHERMAN  
Financial Legal Examiner

Approved by:

*James R. Brusselback*

JAMES R. BRUSSELBACK  
Enforcement Chief

1 STATE OF WASHINGTON  
2 DEPARTMENT OF FINANCIAL INSTITUTIONS  
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF DETERMINING  
5 Whether there has been a violation of the  
6 Escrow Agent Registration Act of Washington  
7 by:

8 ESCROWQUICK INC.,

9 Respondent.

NO. C-10-327-10-SC01

STATEMENT OF CHARGES and NOTICE  
OF INTENTION TO ENTER AN ORDER TO  
IMPOSE FINE, COLLECT INVESTIGATION  
FEE, AND MAINTAIN RECORDS

10 INTRODUCTION

11 Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions (Director) is  
12 responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (the Act).  
13 After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680G-020, and  
14 based upon the facts available as of the date of this Statement of Charges, the Director, through his  
15 designee, Deborah Bortner, Division Director, Division of Consumer Services, institutes this proceeding  
16 and finds as follows:

17 I. FACTUAL ALLEGATIONS

18 **1.1 EscrowQuick, Inc. (Respondent)** is a California corporation headquartered at 1500 Adams  
19 Ave., Costa Mesa, California. Respondent has never been licensed by the Department of Financial  
20 Institutions of the State of Washington (Department) to conduct business as an escrow agent in the  
21 State of Washington.

22 **1.2 Unlicensed Activity.** Between at least December 1, 2008, and June 30, 2009, Respondent  
23 performed escrow functions in at least four Washington residential mortgage loan transactions.  
24 Respondent received approximately \$2,750 as "fees" for those loans. On June 7, 2010, Respondent  
25 provided the Department with an Agreement to Cease and Desist from providing escrow services in the

1 State of Washington until such time as Respondent obtains a license from the Department or meets an  
2 exclusion from licensing as delineated in the Act.

3 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the Act  
4 by Respondent continues to date.

## 5 **II. GROUNDS FOR ENTRY OF ORDER**

6 **2.1 Definition of Escrow.** Pursuant to RCW 18.44.011(4), "Escrow" means any transaction wherein  
7 any person or persons, for the purpose of effecting and closing the sale, purchase, exchange, transfer,  
8 encumbrance, or lease of real or personal property to another person or persons, delivers any written  
9 instrument, money, evidence of title to real or personal property, or other thing of value to a third  
10 person to be held by such third person until the happening of a specified event or the performance of a  
11 prescribed condition or conditions, when it is then to be delivered by such third person, in compliance  
12 with instructions under which he or she is to act, to a grantee, grantor, promisee, promisor, obligee,  
13 obligor, lessee, lessor, bailee, bailor, or any agent or employee thereof.

14 **2.2 Definition of Escrow Agent.** Pursuant to RCW 18.44.011(6) "Escrow Agent" means any person  
15 engaged in the business of performing for compensation the duties of the third person referred to in  
16 RCW 18.44.011(4).

17 **2.3 Requirement to Obtain and Maintain License.** Based on the Factual Allegations set forth in  
18 Section I above, Respondent is in apparent violation of RCW 18.44.021 for engaging in business as an  
19 escrow agent by performing escrows or any of the functions of an escrow agent within the State of  
20 Washington or with respect to transactions that involve personal property or real property located in  
21 the State of Washington without first obtaining a license.

22 **2.4 Requirement to Maintain Records in the State of Washington.** Based on the Factual  
23 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 18.44.400 and WAC  
24  
25

1 208-680D-030 for failing to maintain transaction records in the State of Washington for a period of six  
2 years from completion of the transaction.

3 **III. AUTHORITY TO IMPOSE SANCTIONS**

4 **3.1 Authority to Impose Fines.** Pursuant to RCW 18.44.430(3) and WAC 208-680G-040(3), in  
5 addition to or in lieu of license denial the Director may impose a fine of up to \$100 per day for each day's  
6 violation of the Act.

7 **3.2 Authority to Collect Investigation Fee.** Pursuant to RCW 18.44.410 and WAC 208-680G-  
8 050, the expense of an investigation pursuant to WAC 208-680G-020 shall be borne by the entity which  
9 is the subject of the investigation.  
10

11 **IV. NOTICE OF INTENTION TO ENTER ORDER**

12 Respondent's violations of the provisions of chapter 18.44 RCW as set forth in the above Factual  
13 Allegations and Grounds For Entry Of Order constitute a basis for the entry of an Order under RCW  
14 18.44.400, RCW 18.44.410, RCW 18.44.430, RCW 18.44.440, and WAC 208-680G-030, which  
15 authorize the Director to enforce all laws, rules, and regulations related to the registration of escrow  
16 agents and licensing of escrow officers. Therefore, it is the Director's intention to ORDER that:

17 **4.1** Respondent EscrowQuick, Inc. pay a fine, which as of the date of this Statement of Charges,  
18 the fine totals \$2,500;

19 **4.2** Respondent EscrowQuick, Inc., pay an investigation fee, which as of the date of this Statement  
20 of Charges, fee totals \$325; and

21 **4.3** Respondent EscrowQuick, Inc., its officers, employees, and agents maintain all records involving  
22 Washington State escrow transactions within the State of Washington for a period of six years  
23 from completion of the escrow transactions.

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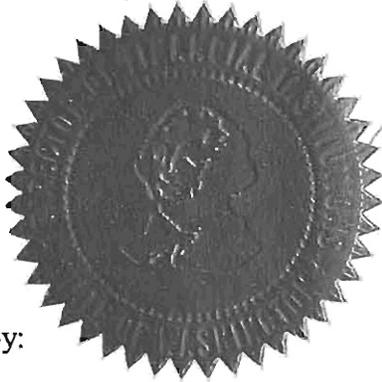
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**V. AUTHORITY AND PROCEDURE**

This Statement of Charges and Notice of Intention to Enter an Order to Impose Fine, Collect Investigation Fee, and Maintain Records (Statement of Charges) is entered pursuant to the provisions of RCW 18.44.410, RCW 18.44.430, and RCW 18.44.440, and is subject to the provisions of chapter 34.05 RCW. Respondent may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

DATED this 15<sup>th</sup> day of November, 2010.



A handwritten signature in cursive script, appearing to read "Deborah Bortner", is written over a horizontal line.

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

A handwritten signature in cursive script, appearing to read "William Halstead", is written over a horizontal line.

WILLIAM HALSTEAD  
Financial Legal Examiner

Approved by:

A handwritten signature in cursive script, appearing to read "James R. Brusselback", is written over a horizontal line.

JAMES R. BRUSSELBACK  
Enforcement Chief