

STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
SECURITIES DIVISION

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Escrow Agent Registration Act by:

Newcastle Escrow Corporation, Eve Marie  
Manalo, and Henry G. Jose,  
  
Respondents.

Order No. S-04-221-04-CO01

CONSENT ORDER

**INTRODUCTION**

Pursuant to the Escrow Agent Registration Act, chapter 18.44 RCW, the Department of Financial Institutions of the State of Washington, Securities Division, (“Department”) and Respondents, Newcastle Escrow Corporation, Eve Marie Manalo, and Henry Jose, do hereby agree to this Consent Order in settlement of the above captioned matter. Respondents neither admit nor deny the Findings of Fact or Conclusions of Law stated below.

**FINDINGS OF FACT**

RESPONDENTS

1. Newcastle Escrow Corporation (“Newcastle 2”), a Washington corporation, conducts business at 515 116<sup>th</sup> Ave. N.E., Ste #130, Bellevue, WA 98004.
2. Eve Marie Manalo (“Manalo”) is an officer and shareholder of Newcastle 2.
3. Henry G. Jose (“Jose”) is an officer and shareholder of Newcastle 2.

1 BACKGROUND

2 4. In or around April 1998, Lynn Rivera (“Rivera”) registered Newcastle Escrow  
3 Corporation (“Newcastle 1”) with the Washington State Department of Revenue. In the same  
4 month, the Department licensed Newcastle 1 as an escrow agent and Rivera as Designated  
5 Escrow Officer (“DEO”) for Newcastle 1.  
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7 5. In or around February 2004, Manalo and Jose entered into a purchase agreement with  
8 Rivera effective March 1, 2004 for substantially all the assets of Newcastle 1, which effectively  
9 created Newcastle 2.

10 6. Since the effective purchase date March 1, 2004 to the present, the Respondents have  
11 held Newcastle 2 out to the public as able to conduct escrow transactions and have accepted  
12 escrow business. During this time, the Respondents have held money in and disbursed money  
13 from a trust account in transactions for the purpose of effecting and closing the sale, purchase,  
14 exchange, transfer, encumbrance, and/or lease of property. The Respondents have prepared  
15 and/or followed written escrow and settlement instructions.  
16

17 7. Since the effective purchase date of March 1, 2004 to the present, Newcastle 2 has not  
18 applied to, or been issued an escrow agent license by, the Department.

19 8. In May 2004, Newcastle 2 submitted an Escrow Agent Change of Designated Escrow  
20 Officer to the Department indicating that the outgoing DEO was Rivera and the incoming DEO  
21 would be Manalo. An escrow officer application for Manalo was attached, but no Escrow Agent  
22 Company Application for Newcastle 2 was included.  
23

24 9. On October 28, 2004, Investigator Paul Laird contacted Newcastle 2 by phone to speak to  
25 the DEO. When asked if she was the DEO, Manalo affirmed that she was the acting DEO/LPO  
26 and had been since May 2004.  
27

1 10. Manalo’s business cards include the title “DEO.”

2 11. Manalo and/or Jose are not and never have been licensed with the Department as an  
3 escrow officer or designated escrow officer for Newcastle 2.  
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5 **CONCLUSIONS OF LAW**  
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7 1. The actions of Newcastle 2 constitute an “escrow agent” as defined in RCW 18.44.011.

8 2. The conduct described in the Findings of Fact is in violation of RCW 18.44.021 because  
9 Newcastle 2 has engaged in business as, and performed functions of, an escrow agent in the  
10 State of Washington or with respect to transactions involving property in Washington without a  
11 valid license issued by the director of the Department.

12 3. Manalo and Jose constitute “officers” under RCW 18.44.301.

13 4. The conduct described in the Findings of Fact is in violation of RCW 18.44.301 because  
14 Newcastle 2 and/or its officers, Manalo and Jose, their employees and agents have engaged in  
15 an unfair or deceptive practice toward a person by claiming business affiliations and/or state  
16 licenses they do not have.  
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18 5. The conduct described in the Findings of Fact is in violation of RCW 18.44.021 because  
19 Manalo has engaged in business as, and performed functions of, a DEO in the State of  
20 Washington or with respect to transactions involving property in Washington without a valid  
21 license issued by the director of the Department.  
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23 **CONSENT ORDER**  
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25 Based upon the foregoing:  
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1 IT IS HEREBY ORDERED AND AGREED that Respondents, Newcastle Escrow  
2 Corporation, Eve Marie Manalo, and Henry Jose, shall cease and desist from violating RCW  
3 18.44.021 and 18.44.301.

4 IT IS FURTHER ORDERED AND AGREED that Respondents, Newcastle Escrow  
5 Corporation, Eve Marie Manalo, and Henry Jose, shall pay a fine in the amount of \$9,000, of  
6 which \$5,000 of the entire amount is suspended based on future compliance with this Order and  
7 based on their cooperation with the Department as further described in this Order.  
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9 IT IS FURTHER AGREED that Respondents, Newcastle Escrow Corporation, Eve Marie  
10 Manalo, and Henry Jose, shall cooperate fully with the Department in any and all investigations,  
11 litigations, or other proceedings relating to or arising from the matters described in this Consent  
12 Order.

13 IT IS FURTHER AGREED that Respondent, Newcastle Escrow Corporation, and/or Red  
14 King, d/b/a Newcastle Escrow, shall establish a new trust account for all future business and  
15 shall provide a certified reconciliation for the closed out trust account. The old trust account  
16 shall be closed out within two months of this order.  
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18 IT IS FURTHER AGREED that Respondents, Newcastle Escrow Corporation, Eve Marie  
19 Manalo, and Henry Jose, shall reimburse the Securities Division \$1,000 for its costs incurred in  
20 investigating this matter.

21 IT IS FURTHER AGREED that the Department of Financial Institutions, Securities  
22 Division, has jurisdiction to enter this Order.  
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24 IT IS FURTHER AGREED that in consideration of the foregoing, Respondents,  
25 Newcastle Escrow Corporation, Eve Marie Manalo, and Henry Jose, waive their rights to a  
26 hearing in this matter and to judicial review of this order.



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STATEMENT OF CHARGES, TEMPORARY ORDER  
TO CEASE AND DESIST, AND NOTICE OF INTENT  
TO IMPOSE FINES

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**DEPARTMENT OF FINANCIAL INSTITUTIONS**  
Securities Division  
PO Box 9033  
Olympia, WA 98507-9033  
360-902-8760