

ORDER SUMMARY
Consumer Services Division Case Number C-24-3876

Temporary Orders to Cease and Desist require individuals or companies to temporarily stop doing things, usually things that could harm or have harmed consumers. The individual or company has the right to contest the Order at an administrative hearing. If the individual or company does not contest the temporary order, it will become permanent when DFI issues a Final Order.

Name	EMPIRE ESCROW, INC.
Order Number	C-24-3876-24-TD01
Date issued	12/06/24

What does this Temporary Order to Cease and Desist require?

- Immediately deposit funds into the trust account sufficient to cover the full amount of the deficit.
- Immediately cease and desist from accepting any new business from customers in the state of Washington.
- Continue to process escrow transactions for existing customers only and ensure that existing customers are not harmed as a result of the deficit in the trust account.

Need more information?

You can contact the Consumer Services Division, Enforcement unit at (360) 902-8703 or cseforcecomplaints@dfi.wa.gov. Please remember that we cannot provide financial or legal advice to members of the public. We also cannot release confidential information.

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

**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:
EMPIRE ESCROW, INC.,

Respondent.

No. C-24-3876-24-TD01

TEMPORARY ORDER TO
CEASE AND DESIST

THE STATE OF WASHINGTON TO: EMPIRE ESCROW, INC.

COMES NOW the Director of the Washington State Department of Financial Institutions,
by and through his designee Ali Higgs, Division of Consumer Services Director, and finding that
the public interest will be irreparably harmed by delay in issuing a cease and desist order, enters this
Temporary Order to Cease and Desist pursuant to chapter 18.44 RCW, the Escrow Agent
Registration Act (Act), based on the following findings:

I. FACTUAL FINDINGS

1.1 Respondent Empire Escrow, Inc. (Respondent) was licensed by the
Department of Financial Institutions of the State of Washington (Department) to conduct
business as an escrow agent on or about February 15, 2018, and continues to be licensed to date.

1.2 Deficit in Trust Account. On or about December 4, 2024, Respondent stated to
the Department that it had been the victim of fraud, and that it wired substantial amounts of
money from Respondent's trust account to the fraudulent party and a legitimate customer before
a check from the fraudulent party was cashed. Respondent further stated that it did not have
funds to deposit in the trust account to cover the deficit. As of the date of this Temporary Order
to Cease and Desist, Respondent is operating with a substantial deficit in its trust account.

1 **1.3 Substantial Injury to Public.** An escrow agent operating with a deficit in its
2 trust account poses a substantial risk to its customers that it will not be able to make required
3 disbursements to them. The effect of the above-described conduct is that the public interest will
4 be irreparably harmed by delay in issuing an order to cease and desist.

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

6 **2.1 Prohibited Practices.** Based on the Factual Findings set forth in Section I
7 above, Respondent is in violation of RCW 18.44.301(2) for directly or indirectly engaging in
8 any unfair or deceptive practice toward any person.
9

10 **2.2 Disbursements of Funds.** Based on the Factual Findings set forth in Section I
11 above, Respondent is in violation of RCW 18.44.400(3) and WAC 208-680-410(10) for
12 making disbursements on any escrow account without first receiving deposits directly relating
13 to the account in amounts at least equal to the disbursements.

14 **III. AUTHORITY TO ISSUE OF ORDER**

15 **3.1** Pursuant to RCW 18.44.440, if the Director makes a finding of fact in writing
16 that the public interest will be irreparably harmed by delay in issuing an order to cease and
17 desist, the Director may issue a temporary cease and desist order and require the person to
18 cease and desist from unlawful practices and to take such affirmative action as in the judgment
19 of the Director will carry out the purposes of the Act.
20

21 //

22 //

23 //

24 //

25 //

1 **IV. ORDER**

2 Based on the above Factual Findings, Grounds for Entry of Order, and Authority to Issue
3 Temporary Order to Cease and Desist, and pursuant to RCW 18.44.410, the Director determines
4 that the public interest will be irreparably harmed by a delay in entering a cease and desist order.

5 Therefore, the Director ORDERS that:

6 **4.1** Respondent Empire Escrow, Inc. shall immediately deposit funds into the trust
7 account sufficient to cover the full amount of the deficit identified in Section 1.2.

8 **4.2** Respondent Empire Escrow, Inc. shall immediately cease and desist from
9 accepting any new business from customers in the state of Washington.

10 **4.2** Respondent Escrow Empire, Inc. shall continue to process escrow transactions for
11 existing customers only, and ensure that existing customers are not harmed as a result of the
12 deficit in the trust account identified in Section 1.2.

13 **4.3** This order shall take effect immediately and shall remain in effect unless set
14 aside, limited, or suspended in writing by an authorized court.

15 **NOTICE**

16 PURSUANT TO CHAPTER 18.44 RCW, RESPONDENT IS ENTITLED TO A
17 HEARING TO DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT.
18 IF RESPONDENT DESIRES A HEARING, RESPONDENT MUST RETURN THE
19 ATTACHED APPLICATION FOR ADJUDICATIVE HEARING.

20 FAILURE TO COMPLETE AND RETURN THE APPLICATION FOR
21 ADJUDICATIVE HEARING SO THAT IT IS RECEIVED BY THE DEPARTMENT OF
22 FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS OF THE DATE THIS ORDER
23

1 WAS SERVED ON RESPONDENT WILL CONSTITUTE A DEFAULT AND WILL RESULT
2 IN THE LOSS OF RESPONDENT'S RIGHT TO A HEARING.

3 SERVICE ON RESPONDENT IS DEFINED AS POSTING IN THE U.S. MAIL,
4 POSTAGE PREPAID, TO RESPONDENT'S LAST KNOWN ADDRESS, OR PERSONAL
5 SERVICE. DEFAULT WILL RESULT IN THIS TEMPORARY ORDER TO CEASE AND
6 DESIST BECOMING PERMANENT ON THE TWENTY-FIRST (21ST) DAY FOLLOWING
7 SERVICE OF THIS ORDER.
8

9
10 Entered this 6th day of December, 2024.



15
16
17
18

[Redacted Signature]

Ali Higgs, Director
Division of Consumer Services
Department of Financial Institutions

19 Presented by:

20
21
22

[Redacted Signature]

KENNETH J. SUGIMOTO
Financial Legal Examiner Supervisor

23 Reviewed by:

24
25

[Redacted Signature]

DREW STILLMAN
Financial Legal Examiner Supervisor