

ORDER SUMMARY – Case Number: C-11-0842

Name(s): Irma Trikas

Order Number: C-11-0842-12-CO02

Effective Date: _____

License Number: U/L

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: _____

Not Apply Until: 5 years

Not Eligible Until: _____

Prohibition/Ban Until: _____

Investigation Costs	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
	No. of Victims:			

Comments: _____

RECEIVED

DEC 13 2012

Enforcement Unit
Division of Consumer Services
Dept. of Financial Institutions

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:	No.: C-11-0842-12-CO02
SECURITY NATIONAL ESCROW, INC., and IRMA TRIKAS, President,	CONSENT ORDER
Respondents.	IRMA TRIKAS

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Irma Trikas (Respondent Trikas), President of Security National Escrow, Inc. (Respondent Security), by and through her attorney, Seth A. Rosenberg, and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, as to Respondent Trikas only, 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 Trikas have agreed upon a basis for resolution of the matters, as related to Respondent Trikas only, alleged in Statement of Charges No. C-11-0842-12-SC01 (Statement of Charges), entered June 26, 2012, (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 Trikas 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, as related to Respondent Trikas only, by entry of this Consent Order. The parties intend this Consent Order to

CONSENT ORDER
C-11-0842-12-CO02
IRMA TRIKAS

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 fully resolve the Statement of Charges as to Respondent Trikas and agree that Respondent Trikas
2 does not admit any wrongdoing by its entry. Respondent Trikas is agreeing not to contest the
3 Statement of Charges in consideration of the terms of this Consent Order.

4 Based upon the foregoing:

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

7 **B. Waiver of Hearing.** It is AGREED that Respondent Trikas has been informed of the
8 right to a hearing before an administrative law judge, and hereby waives her right to a hearing and
9 any and all administrative and judicial review of the issues raised in this matter, or of the resolution
10 reached herein. Accordingly, Respondent Trikas withdraws her appeal to the Office of
11 Administrative Hearings.

12 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the
13 Statement of Charges as to Respondent Trikas and agree that Respondent Trikas does not admit to
14 any wrongdoing by its entry.

15 **D. Application for License.** In consideration of settlement, Respondent Trikas voluntarily
16 AGREES that, for a period of five years from the date of entry of this Consent Order, Respondent
17 Trikas shall not apply to the Department for any license under any name. It is further AGREED that,
18 should Respondent Trikas apply to the Department for any license under any name at any time later
19 than five years from the date of entry of this Consent Order, Respondent Trikas shall be required to
20 meet any and all application requirements in effect at that time.

21 **E. Rights of Non-Parties.** It is AGREED that the Department does not represent or have the
22 consent of any person or entity not a party to this Consent Order to take any action concerning their
23 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent

1 Order, this Consent Order does not limit or create any private rights or remedies against Respondent
2 Trikas, limit or create liability of Respondent Trikas, or limit or create defenses of Respondent Trikas
3 to any claims.

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

9 **G. Voluntarily Entered.** It is AGREED that Respondent Trikas has voluntarily entered into
10 this Consent Order, which is effective when signed by the Director's designee.

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

13 **RESPONDENT TRIKAS:**

14 
15 _____
16 Irma Trikas

12-12-12

Date

17 
18 Seth A. Rosenberg, WSBA No. 41660
19 Attorney for Irma Trikas

12-13-12

Date

20 DO NOT WRITE BELOW THIS LINE

1 THIS ORDER ENTERED THIS 27th DAY OF December, 2012



DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

7 Presented by:



8 KENNETH J. SUGIMOTO
9 Financial Legal Examiner

10 Approved by:



11
12 CHARLES E. CLARK
13 Enforcement Chief

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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:

SECURITY NATIONAL ESCROW, INC., and
IRMA TRIKAS, President,

Respondents.

No.: C-11-0842-12-SC01

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

INTRODUCTION

Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (Act). After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680-620, and based upon the facts available as of the date of this Statement of Charges and Notice of Intention to Enter an Order to Prohibit from Industry, Impose Fine, Collect Investigation Fee, and Maintain Records (Statement of Charges), the Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondent Security National Escrow, Inc. (Respondent Security) is headquartered at 6 Hutton Centre, Suite 100, Santa Ana, CA 92707. Respondent Security has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as an escrow agent in the state of Washington.

1.2 Respondent Irma Trikas (Respondent Trikas) is known to be President of Respondent Security.

1 **1.3 Unlicensed Activity.** On or about November 3, 2011, Respondents provided the Department
2 with a list of 91 loan transactions for which Respondents provided escrow services during the prior
3 25 months for properties located in the state of Washington. Respondents stated they received
4 \$43,001.57 as fees for those escrow services. On or about November 3, 2011, Respondents provided
5 the Department with an Agreement to Cease and Desist from providing escrow services in the state of
6 Washington until such time as Respondents obtain a license from the Department or meet an
7 exclusion from licensing as required by the Act.

8 **1.4 On-Going Investigation.** The Department's investigation into the alleged violations of the
9 Act by Respondents continues to date.

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

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

19 **2.2 Definition of Escrow Agent.** Pursuant to RCW 18.44.011(8) "Escrow Agent" means any
20 person engaged in the business of performing for compensation the duties of the third person referred
21 to in RCW 18.44.011(7).

1 **2.3 Requirement to Obtain and Maintain License.** Based on Factual Allegations set forth in
2 Section I above, Respondents are in apparent violation of RCW 18.44.021 for engaging in the
3 business of an escrow agent by performing escrows or any of the functions of an escrow agent within
4 the state of Washington or with respect to transactions that involve personal property or real property
5 located in the state of Washington without first obtaining a license.

6 **2.4 Requirement to Maintain Records in the State of Washington.** Based on the Factual
7 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 18.44.400
8 and WAC 208-680-530 for failing to maintain transaction records in the state of Washington, unless
9 otherwise approved by the Director, for a period of six years from completion of the transaction.

10 III. AUTHORITY TO IMPOSE SANCTIONS

11 **3.1 Authority to Issue an Order to Take Affirmative Action.** Pursuant to RCW 18.44.440 and
12 WAC 208-680-630, if the Director determines after notice and hearing that a person has: violated any
13 provision of the Act; or engaged in any false, unfair and deceptive, or misleading advertising or
14 promotional activity or business practices; the Director may issue an order requiring the person to
15 take such affirmative action as in the judgment of the Director will carry out the purposes of the Act.

16 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 18.44.430(3) and WAC 208-680-
17 640, the Director may issue orders removing from office or prohibiting from participation in the
18 conduct of the affairs of any licensed escrow agent, any officer, controlling person, director,
19 employee, or licensed escrow officer, or any person subject to licensing under the Act for violating
20 any provisions of the Act or any lawful rules made by the Director pursuant thereto.

21 **3.3 Authority to Impose Fine.** Pursuant to RCW 18.44.430(3) and WAC 208-680-640, in
22 addition to or in lieu of license denial the Director may impose a fine up to \$100 per day for each
23 day's violation of the Act.

1 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 18.44.410 and WAC 208-680-
2 650, the expense of an investigation pursuant to WAC 208-680-620 shall be borne by the entity
3 which is the subject of the investigation.

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

5 Respondents' violations of the provisions of chapter 18.44 RCW as set forth in the above
6 Factual Allegations and Grounds for Entry of Order constitute a basis for the entry of an Order under
7 RCW 18.44.400, RCW 18.44.410, RCW 18.44.430, RCW 18.44.440 and WAC 208-680-630, which
8 authorize the Director to enforce all laws, rules, and regulations related to the registration of escrow
9 agents and licensing of escrow officers. Therefore, it is the Director's intention to ORDER that:

- 10 **4.1** Respondent Security be prohibited from participation in the conduct of the affairs of
11 any escrow agent subject to licensure by the Director, in any manner, for a period of
12 five years.
- 12 **4.2** Respondent Trikas be prohibited from participation in the conduct of the affairs of any
13 escrow agent subject to licensure by the Director, in any manner, for a period of five
14 years.
- 14 **4.3** Respondents jointly and severally pay a fine. As of the date of this Statement of
15 Charges, the fine totals \$60,000.
- 16 **4.4** Respondents jointly and severally pay an investigation fee. As of the date of this
17 Statement of Charges, the investigation fee totals \$712.50.
- 18 **4.5** Respondent Security, its officers, employees, and agents maintain all records
19 involving Washington State escrow transactions within the state of Washington for a
20 period of six years from completion of the escrow transactions.

1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 18.44.410, RCW
3 18.44.430, and RCW 18.44.440, and is subject to the provisions of chapter 34.05 RCW (The
4 Administrative Procedure Act). Respondents may make a written request for a hearing as set forth in
5 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
6 accompanying this Statement of Charges.

7
8 Dated this 26th day of June, 2012



9 [Redacted signature]

10 DEBORAH BORTNER
11 Director
12 Division of Consumer Services
13 Department of Financial Institutions

14 Presented by: [Redacted signature]

15 KENNETH J. SUGIMOTO
16 Financial Legal Examiner

17 Approved by: [Redacted signature]

18 CHARLES E. CLARK
19 Enforcement Chief