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1 Department of Real Estate  
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**FILED**  
JUL - 9 2020  
DEPT. OF REAL ESTATE  
By *@Selvia*

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) DRE No. H-41686 LA  
12 )  
13 ESCROW IN A CINCH INC, doing business )  
as Bay Cities Escrow, A Non-Independent )  
14 Broker Escrow. ) ORDER TO DESIST  
15 ) AND REFRAIN  
)  
) (B&P Code Section 10086)

16 The Commissioner ("Commissioner") of the California Department of Real Estate  
17 ("Department") caused an investigation to be made of the activities of ESCROW IN A CINCH  
18 INC, doing business as Bay Cities Escrow, A Non-Independent Broker Escrow. Based on that  
19 investigation, the Commissioner has determined that ESCROW IN A CINCH INC, and/or any  
20 other fictitious business names used by ESCROW IN A CINCH INC, has violated California  
21 Financial Code section 17006(a)(4) by performing third party escrows in violation of the  
22 exemption for real estate brokers performing escrows incidental to a real estate transaction where  
23 the broker is a party.

24 Based on the findings of that investigation, as set forth below, the Commissioner  
25 hereby issues the following Findings of Fact and Desist and Refrain Order pursuant to Business  
26 and Professions Code ("Code") section 10086.

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ORDER TO DESIST AND REFRAIN

1 Whenever acts referred to below are attributed to ESCROW IN A CINCH INC,  
2 those acts are alleged to have been done by ESCROW IN A CINCH INC, acting by itself, or by  
3 and/or through one or more agents, associates, affiliates, co-conspirators, and/or other names or  
4 fictitious names unknown at this time.

5 FINDINGS OF FACT

6 1. At all times mentioned herein, ESCROW IN A CINCH INC (“EIACI”) was  
7 licensed or had license rights issued by the Department as a corporate real estate broker,  
8 Department license ID 02053707. The Department originally issued EIACI a corporate real  
9 estate broker license on January 23, 2018. EIACI is authorized to act by and through real estate  
10 broker Russel Islam, Department license ID 01874040, as EIACI’s designated broker pursuant  
11 to Code section 10159.2 to be responsible for the supervision of the activities conducted on  
12 behalf of EIACI by its officers, agents, real estate licensees, and employees.

13 2. EIACI engaged in the business of acted in the capacity of, advertised or  
14 assumed to act as a real estate broker, within the meaning of Code section 10131(d) by  
15 soliciting borrowers or lenders for or negotiating loans or collecting payments or performing  
16 services for borrowers or lenders or note owners in connection with loans secured directly or  
17 collaterally by liens on real property (“mortgage loan activity”).

18 3. In addition, EIACI engaged in broker-controlled escrow services through  
19 EIACI’s escrow division, to wit, Bay Cities Escrow, A Non-Independent Broker Escrow  
20 (“Escrow Division”), under the exemption set forth in Financial Code section 17006(a)(4) for  
21 real estate brokers performing escrows incidental to real estate transactions in which EIACI was  
22 performing acts for which a real estate license is required.

23 4. On or about October 31, 2019, the Department completed an investigation of  
24 EIACI pertaining to the broker-controlled escrow activities described in Paragraph 3. The  
25 investigative examination covered a period of time beginning May 1, 2018, to August 31, 2019.

26 5. At all times mentioned herein, and in connection with the broker-controlled  
27 escrow activities described in Paragraph 3 above, EIACI accepted or received funds (“escrowed

1 funds”) from or on behalf of actual or prospective parties to transactions handled by EIACI, and  
2 thereafter made deposits and/or disbursements of such funds. From time-to-time during the  
3 investigative period, said escrowed funds were deposited and/or maintained in the following  
4 bank accounts:

5 Trust Account (“TA 1”)

6 Bank: Comerica Bank  
7 Account Name: Escrow in a Cinch Inc DBA Bay Cities Escrow, A Non-Independent  
8 Broker Escrow Real Estate Broker Trust Account  
9 Russel Islam as Trustee  
10 Account Number: xxxxxx1317  
11 Signatories: Russel Islam

12 EIACI opened TA 1 on October 22, 2018, at Comerica Bank to replace a bank account  
13 maintained at Citibank. TA 1 was maintained for handling trust fund receipts and disbursements  
14 in connection with EIACI’s broker escrow activity effective October 22, 2018

15 Bank Account (“BA 1”)

16 Bank: Citibank  
17 Account Name: Escrow in a Cinch Inc DBA Bay Cities Escrow, A Non-Independent  
18 Broker Escrow Real Estate Broker Trust Account  
19 Account Number: xxxxxx3081  
20 Signatories: Russel Islam

21 EIACI closed BA 1 as of October 15, 2018.

22 6. In the following escrow transactions, EIACI performed broker-controlled  
23 escrow services when EIACI was not an agent or party to the transactions:

Escrow No.	Sales Price/Loan Amount	Close of Escrow
144-2018	\$550,000.00	7/11/2018
113-2019	\$323,000.00	6/21/2019

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ORDER TO DESIST AND REFRAIN

1 CONCLUSIONS OF LAW

2 7. Based on the findings of fact contained in Paragraphs 1 through 6 above,  
3 ESCROW IN A CINCH INC, acting by itself, or by and/or through one or more agents,  
4 associates, affiliates, and/or co-conspirators, violated Financial Code section 17006(a)(4), by  
5 conducting third party escrows.

6 DESIST AND REFRAIN ORDER

7 Based on the Findings of Fact and Conclusions of Law stated herein:

8 ESCROW IN A CINCH INC, whether doing business under its own name, any  
9 other name, or any fictitious name, IS HEREBY ORDERED TO IMMEDIATELY DESIST  
10 AND REFRAIN from performing third party escrows in violation of the exemption under  
11 California Financial Code section 17006(a)(4).

12 DATED: 6.21.20, 2020.

13  
14 DOUGLAS R. McCAULEY  
15 REAL ESTATE COMMISSIONER

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17 

18  
19  
20 cc: ESCROW IN A CINCH INC  
21 2121 Rosecrans Avenue  
22 Suite 2310  
23 El Segundo, CA 90245

24 **Notice:** California Business and Professions Code section 10139 provides, "Any person acting  
25 as a real estate broker or real estate salesperson without a license or who advertises using words  
26 indicating that he or she is a real estate broker without being so licensed shall be guilty of a  
27 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by  
imprisonment in the county jail for a term not to exceed six months, or by both fine and  
imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars  
(\$60,000)."

ORDER TO DESIST AND REFRAIN