

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 JUDY L. HARTLEY (CA BAR NO. 110628)
Senior Corporations Counsel
4 Department of Corporations
320 West 4th Street, Ste. 750
5 Los Angeles, California 90013-2344
Telephone: (213) 576-7604 Fax: (213) 576-7181
6 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of the Petition for Reinstatement) File No.: 963-1155
of:)
12) ORDER DENYING PETITION FOR
13 GINA SIMNOWSKI) REINSTATEMENT
14)
15)
16)
17)

18 TO: EDMUND G. BROWN, JR.
19 ATTORNEY GENERAL, STATE OF CALIFORNIA
Department of Justice
20 P.O. Box 944255
21 Sacramento, California 94244-2550

22 Gina Simnowski
23 5758 N. Las Virgenes Road, No. 202
24 Calabasas, California 91302

25 Petitioner, Gina Simnowski, having filed a petition for reinstatement regarding the June 18,
26 2002 order barring Petitioner from any position of employment, management or control of an escrow
27 agent issued in proceedings brought by the California Corporations Commissioner entitled In the
28 Matter of the Commissioner of Corporations of the State of California v. Gina Simnowski; the

1 July 21, 2010 petition having been considered along with the documents submitted on August 3,
2 2010 in support thereof, this agency finds that:

3 Petitioner is not entitled to reinstatement of employment, management or control of an
4 escrow agent for the following reasons:

5 1. Petitioner has yet to accept true responsibility for the violations she was found in an
6 administrative trial to have committed while employed at Mara Escrow Company. The violations
7 were serious and involved fraud and unauthorized trust fund disbursements. In Petitioner’s most
8 recent petition for reinstatement she states “I would like to say how truly sorry I am for all the
9 violations the administrative law judge cited and for the time and efforts for all involved for all
10 wrong doing and responsibility for same.” Petitioner’s statement, while apologizing, seems to be
11 carefully worded so as not to admit having committed the violations. This is insufficient considering
12 the fiduciary nature of the industry Petitioner would like to re-enter and the gravity of the violations.

13 2. Petitioner submits several certificates of training from her most recent employer and
14 others. However, with the exception of possibly one class, the training has no relation to the skills
15 and knowledge necessary to competently be employed, manage and/or control an escrow agent in
16 compliance with the Escrow Law. The certificates submitted by Petitioner include classes such as
17 “Computer Operator/Literacy, “2010 Timekeeping Compliance”, and “2010 CSBB Business
18 Continuity. Accordingly, Petitioner has failed to demonstrate that she possesses the skills and
19 knowledge to ensure that the same problems do not recur in the future.

20 3. Petitioner has yet to offer any proof of rehabilitation, save and except for her own self
21 serving comments about her current position and one prior position. Petitioner submits no letters
22 from her most recent employers attesting to her job duties or performance. Moreover, Petitioner’s
23 current employment only began on June 30, 2010.

24 WHEREFORE, IT IS ORDERED that the Petition be denied.

25 Dated: September 27, 2010
26 Los Angeles, Ca

PESTON DuFAUCHARD
California Corporations Commissioner

27 By _____
28 Alan S. Weinger
Deputy Commissioner