

ORDER NO. 2014-027

IN THE MATTER OF:	§	BEFORE:
	§	
ESCROW HILL LIMITED	§	
AND	§	
ADMINISTRATION SERVICES, LLC	§	THE BANKING COMMISSIONER
D/B/A ESCROWHILL.COM	§	
AND	§	
ANDEE HILL,	§	
CHIEF EXECUTIVE OFFICER	§	OF TEXAS
	§	
AUCKLAND, NEW ZEALAND	§	
AND	§	
WESTMINSTER, CALIFORNIA	§	AUSTIN, TRAVIS COUNTY, TEXAS

ORDER TO CEASE AND DESIST ACTIVITY

On this day, the matter of Escrow Hill Limited, located in Auckland, New Zealand, Administration Services, LLC d/b/a EscrowHill.com, located in Westminster, California, and Andee Hill, Chief Executive Officer (collectively, Respondents) was submitted to me, Charles G. Cooper, Banking Commissioner of the State of Texas (Commissioner), for consideration and action.

I. Findings of Fact

1. Escrow Hill Limited (Escrow Hill) currently operates its business at Level 4, 55 Anzac Avenue, Auckland 1010, New Zealand, and on the Internet through its webpage located at <https://www.escrowhill.com/>.
2. Administration Services, LLC d/b/a EscrowHill.com (Administration Services) is a Nevada limited liability company that currently operates its business at 16360 Jupiter Circle, Westminster, California 92683.
3. Andee Hill is Chief Executive Officer of Escrow Hill Limited and Administration Services, LLC.
4. The Texas Department of Banking (Department) has not licensed Respondents to engage in the business of money transmission or advertise, solicit, or hold itself out as a person who engages in money transmission.
5. Escrow Hill Limited has not applied for a money transmission license.
6. Administration Services, LLC has not applied for a money transmission license.
7. Escrow Hill Limited is a New Zealand Registered Financial Service Provider (FSP331446).

8. Escrow Hill's website claims that "EscrowHill.com is an online escrow service that employs a staff of industry experienced individuals eager to assist you with your sale or purchase."
9. Escrow Hill's FAQ page, available at <https://www.escrowhill.com/faq/>, states that "Escrowhill.com is a neutral third party that holds funds while the sale/purchase of merchandise is being transacted between Buyers, Sellers, and Brokers."
10. During Escrow Hill's account registration process, a customer must provide the following pieces of information: his or her first name, last name, email address, physical address including city, state/province, postal code and country, and phone number. Customers who enter a physical address located in Texas are allowed to complete the account registration process.
11. Escrow Hill's website states that "Escrow services are not available to California residents."
12. The Escrow Hill Terms of Use, available at <https://www.escrowhill.com/terms-use/>, only require a customer to be 18 years old to register with EscrowHill.com or otherwise use any of Escrow Hill's services. Because the Escrow Hill Terms of Use only require a customer to be 18 years old, Escrow Hill's online escrow services are available to Texas residents through the www.EscrowHill.com website.
13. On May 22, 2014, the Department sent Andee Hill, as CEO of Escrow Hill, a letter regarding money transmission activities for persons in Texas. Receiving no response, on July 16, 2014, the Department sent an additional letter requesting the same information to Andee Hill, this time in her capacity as CEO of Administration Services. On September 8, 2014, attorneys representing both Administration Services and Escrow Hill responded on behalf of Administration Services to the Department's letter dated July 16, 2014. The response letter stated that "all escrow services described on the website located at <escrowhill.com> are performed by Escrow Hill Ltd., a New Zealand Registered Financial Service Provider (FSP331446)." The response further stated that "Administration Services provides marketing, customer support, and general business services."
14. On September 24, 2014, Department attorney Brenna McGee spoke to Respondents' attorneys regarding a response on behalf of Escrow Hill to the Department's letter dated May 22, 2014. On October 20, 2014, the attorneys agreed to respond to the Department's letter by November 5, 2014. On November 5, 2014, the attorneys asked for an extension to November 12, 2014, which the Department granted. No response was received on November 12, 2014.
15. On November 17, 2014, the attorneys responded on behalf of Respondents, stating that "Escrow Hill Ltd. will not provide escrow services to Texas residents." No other information regarding Escrow Hill's money transmission activities for persons in Texas was provided.
16. On November 17, 2014, the Department sent a letter to the Respondents' attorneys asking for additional information about Escrow Hill's money transmission activities for persons in Texas and instructed Escrow Hill Limited to alter its website to prohibit Texas transactions and state that escrow services are not available to Texas residents by November 19, 2014. The Department also asked Respondents to provide written confirmation to the Department

by November 19, 2014, that either Escrow Hill never provided escrow services to Texas residents or that it has ceased all money transmission operations in Texas, and that any pending transactions for Texas customers have been completed. Respondents and their attorneys ignored this letter.

II. Conclusions of Law

1. The Commissioner is authorized by Texas Finance Code § 151.702 to issue a cease and desist order to an unlicensed person whom the Commissioner believes is engaging or is likely engaging in an activity for which a license is required by Chapter 151.
2. The Commissioner finds by credible evidence that Respondents are violating Texas Finance Code § 151.302 by engaging in the business of money transmission in Texas without a license, as described above.
3. The Commissioner finds this violation constitutes sufficient cause under Texas Finance Code § 151.702 for issuance of an order to cease and desist from conducting any money transmission in Texas.

III. Order

In accordance with Texas Finance Code §§ 151.302 and 151.702, Respondents are **ORDERED** to cease and desist from engaging in the unauthorized business of a money services business in Texas, including advertising to and solicitation of persons in Texas, whether conducted through Respondents' activities or through those of others. Respondents are further **ORDERED** to configure the website EscrowHill.com to refuse customer registration or transactions from persons located in Texas until such time as Respondents obtain the required license, and to confirm to the Department in writing, within seven days of the effective date of this Order, that it has been completed. Respondents are further **ORDERED** to confirm to the Department in writing, within seven days of the effective date of this Order, that any pending transactions with Texas customers that were outstanding on the effective date of this Order have been completed.

IV. Effective Date

Pursuant to Texas Finance Code §§ 151.702 and 151.709, this Order to Cease and Desist Activity takes effect twenty one days after the date it is mailed.

V. Notice of Right to Hearing

Under Texas Finance Code § 151.709, Respondents have the right to request a hearing on this Order. If Respondents wish to file such a request, it must be made in writing and must be submitted to the Commissioner no later than the twentieth day after the date this Order is mailed to Respondents.

VI. Service

This Order shall be served on Respondents and their attorney by certified mail, return receipt requested and first class mail, sent on December 1st, 2014 to:

Andee Hill
Chief Executive Officer
Escrow Hill Limited
Level 4, 55 Anzac Avenue
Auckland 1010, New Zealand

Andee Hill
Chief Executive Officer
Administration Services, LLC d/b/a EscrowHill.com
16360 Jupiter Circle
Westminster, California 92683

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Attorney for the Respondents

Signed on this 26th day of November, 2014.

//s// Charles G. Cooper
Charles G. Cooper
Banking Commissioner of the State of Texas