

# What the File Needed to Show

A file-ready standard generated from reviewed escrow-related court-record cards: the question the file later needed to answer, the documents that mattered, the money-movement stage, the record gap, and the source posture that limits the claim.

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## REVIEWED RECORDS

# 129

Public-promoted reviewed cards

### FILE-RECORD QUESTIONS

# 6

Seller Proceeds

### DOCUMENTS THAT MATTERED

# 19

129 records use topic inference

### PUBLIC RULE

# Office decides

Veto records the review

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## *File-record questions by issue*

Seller Proceeds	92
Disbursement Authorization	27
Escrow Instructions	27
Wire Instructions	21
Payoff Demands	19
Post-Closing Evidentiary Disputes	16

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### *Documents that mattered*

Escrow instructions	118
Closing statement	91
Seller instructions	91
Callback log	90
Authorization request	87
Wire confirmation	75
Disbursement authorization	26
Amendments	21

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### *Money-movement stages*

Seller proceeds stage	83
At release	26
Payoff stage	19
After release	1

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### *Record gaps*

Payee gap	59
Release-decision gap	25
Authorization gap	21
Amount gap	18
Source gap	5
Posture gap	1

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### *Complaint vs. finding posture*

Court of Appeal opinion	96
Supreme Court opinion	20
Federal court order	7
Complaint filed	6

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### *Source ladder*

Published opinion	121
Complaint	4
Court order	2
Federal court order	1
Indictment	1

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## *How to use this*

Start with the file-record question, open representative records, read the posture and limitation line, then inspect the source before using the record in a public claim or operator checklist.

Read the methods · Submit a correction

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## *Source and claim boundary*

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**What this standard is**A Veto standard for turning reviewed public escrow court records into file-record questions an operator can answer from a closing file.

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**What this standard is not**It is not legal advice, not a finding that a party failed to keep the file, and not a substitute for counsel, the docket, or the source record.

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**Source limit**It uses public-promoted reviewed court-record cards only. It excludes private OCR, raw PDFs, vendor labels, source-platform notes, private review notes, company pages, person pages, and regulatory rows.

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**How to read it**A file-record question describes what the record later needed to answer. Complaint-stage records remain allegations unless the reviewed source shows a later finding or order.

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**Corpus limit**The standard does not imply the corpus is complete, does not measure market prevalence, and does not rank companies, escrow holders, banks, buyers, sellers, agents, lenders, or title companies.

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## *Veto receipt field crosswalk*

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**Operative instruction**The signed instruction, amendment, payoff demand, seller-proceeds direction, or hold/release condition that controlled the file.

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**Authority path**The person or source allowed to give or change the instruction, plus the record showing that authority.

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**Independent confirmation**The known-contact callback, lender confirmation, beneficiary verification, or other confirmation path when the reviewed record makes that question relevant.

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**Money-movement decision**Who reviewed the discrepancy, when money was held or released, and what the file preserved before funds moved.

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**Posture and source**The source type, procedural posture, limitation line, source link, and correction path attached to the record.

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FILE STANDARD · 92 RECORDS

## Seller Proceeds

### WHAT THE FILE NEEDED TO SHOW

Signed authorization for the new destination, evidence the prior instruction was retained, callback or verification record, and a documented hold or release decision by the office.

### FILE-RECORD QUESTIONS

- Does the file show whether the seller authorized the destination change?
- Does the file show whether the escrow officer checked the change by callback?
- Does the file show whether prior instructions were retained in the file?
- Does the file show whether the office held or released before authorization?

### DOCUMENTS THAT MATTERED

- Seller instructions
- Authorization request
- Callback log
- Wire confirmation
- Closing statement
- Escrow instructions

### REPRESENTATIVE RECORDS

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#### United States v. Approximately \$325,690.00 Seized From Bank of America — E.D. Cal. order

E.D. Cal. · Federal court order · January 31, 2024

Original instruction, change request, independent known-contact callback/source, match/gap notes, reviewer, and office action before release.

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#### Tung v. Chicago Title — California Court of Appeal

Cal. Ct. App. 1st Dist. · Court of Appeal opinion · January 1, 2021

Modern appellate guidance on foreseeability of damages after escrow closes on a rescinded residential sale.

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#### Appel v. Boston National Title Agency — S.D. Cal. order

S.D. Cal. · Federal court order · June 10, 2020

Shows why escrow-account deposit records, written escrow instructions, control over release, and interpleader statements matter when funds are not returned promptly.

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## California Executive Escrow v. Bell et al. — Federal court complaint

C.D. Cal. · Complaint filed · January 1, 2020

Teaches seller-proceeds disbursement review from a federal complaint docket.

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This topic section is a source-review aid. It does not say every record has the same facts, outcome, legal rule, or office decision.

## Disbursement Authorization

### WHAT THE FILE NEEDED TO SHOW

Authorization records, condition checklist, and documented hold or release decision.

### FILE-RECORD QUESTIONS

- Does the file show whether conditions precedent were met before release?
- Does the file show whether authorization matched the escrow instructions?
- Does the file show whether funds were released before required signatures?
- Does the file contain authorization records, condition checklist, and documented hold or release decision?

### DOCUMENTS THAT MATTERED

- Disbursement authorization
- Escrow instructions
- Condition checklist
- Hold notice

### REPRESENTATIVE RECORDS

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#### Rideau v. Stewart Title — California Court of Appeal

Cal. Ct. App. 4th Dist. Div. 1 · Court of Appeal opinion · April 14, 2015

Shows why sale escrow instructions must make the release path for deposited funds explicit and preserve the basis for any disbursement.

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#### Castillo v. Express Escrow — California Court of Appeal

Cal. Ct. App. 2d Dist. Div. 6 · Court of Appeal opinion · January 1, 2007

Teaches statutory dispute-notice duties for California mobile-home escrows and that form escrow instructions cannot waive Health and Safety Code deposit-hold requirements.

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#### Money Store v. Southern California Bank — California Court of Appeal

Cal. Ct. App. 4th Dist. · Court of Appeal opinion · January 1, 2002

Teaches lenders can contract directly with escrow banks via closing instructions — escrow addenda cannot override lender disbursement rules without notice (foundation for Plaza Home Mortgage v. North American Title).

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## Brown v. Boren — California Court of Appeal

Cal. Ct. App. 2d Dist. · Court of Appeal opinion · January 1, 1999

Teaches 1990s automatic subordination escrows still require lender compliance with escrow caps — excess loan amounts revive the seller's senior purchase-money lien.

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FILE STANDARD · 27 RECORDS

## Escrow Instructions

WHAT THE FILE NEEDED TO SHOW

Executed instructions, amendments, and disbursement mapping to signed terms.

FILE-RECORD QUESTIONS

- Does the file show whether the office followed the written instructions?
- Does the file show whether amendments were properly authorized?
- Does the file show whether ambiguous terms were clarified before release?
- Does the file contain executed instructions, amendments, and disbursement mapping to signed terms?

DOCUMENTS THAT MATTERED

- Escrow instructions
- Amendments
- Signature pages
- Closing statement

REPRESENTATIVE RECORDS

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### Appel v. Boston National Title Agency — S.D. Cal. order

S.D. Cal. · Federal court order · June 10, 2020

Shows why escrow-account deposit records, written escrow instructions, control over release, and interpleader statements matter when funds are not returned promptly.

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### Attisha Enterprises v. Capital One Bank — S.D. Cal. order

S.D. Cal. · Federal court order · December 7, 2020

Shows the source records needed when a buyer expects escrow funds to reach a title company but the transfer lands in another account: instructions, recipient account, notice, and withdrawal timing.

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### Ovation v. Chicago Title — S.D. Cal. order

S.D. Cal. · Federal court order · September 23, 2020

Shows the escrow-account proof problem in a liquor-license funding platform: who owned the funds, which escrow accounts held them, and what source records supported return obligations.

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## SASA Investment v. Chhatrala — S.D. Cal. order

S.D. Cal. · Federal court order · February 19, 2020

Shows the records needed when funds are wired to a title company as escrow agent: transfer authorization, escrow-party status, purpose instructions, notice, and withdrawal accounting.

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FILE STANDARD · 21 RECORDS

## Wire Instructions

### WHAT THE FILE NEEDED TO SHOW

Prior and revised wire instructions, callback log, and beneficiary verification before release.

### FILE-RECORD QUESTIONS

- Does the file show whether wire instructions were changed without authorization?
- Does the file show whether beneficiary names matched account records?
- Does the file show whether callback verification occurred before release?
- Does the file contain prior and revised wire instructions, callback log, and beneficiary verification before release?

### DOCUMENTS THAT MATTERED

- Wire instructions
- Beneficiary verification
- Callback log
- Outgoing wire confirmation

### REPRESENTATIVE RECORDS

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#### Little Seeds Children's Center v. Citibank — N.D. Cal. order

N.D. Cal. · Federal court order · January 1, 2025

Shows how a court analyzed unauthorized payment-order allegations: authorization, security procedure, normal wire history, bank alerts, and rapid transfer timing.

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#### Thomas v. Corbyn Restaurant Development — California Court of Appeal

Cal. Ct. App. 4th Dist. · Court of Appeal opinion · January 1, 2025

Teaches settlement-fund wire verification and imposter-rule loss allocation when disbursement instructions change midstream.

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#### Ozer Holdings v. Citibank — E.D. Cal. docket

E.D. Cal. · Complaint filed · January 1, 2024

Teaches California UCC wire-transfer refund and bank-knowledge duties after rapid outbound wires from commercial accounts.

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## United States v. Approximately \$325,690.00 Seized From Bank of America — E.D. Cal. order

E.D. Cal. · Federal court order · January 31, 2024

Original instruction, change request, independent known-contact callback/source, match/gap notes, reviewer, and office action before release.

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FILE STANDARD · 19 RECORDS

## Payoff Demands

### WHAT THE FILE NEEDED TO SHOW

Checked payoff demand, lender confirmation, and disbursement timing relative to the good-through date.

### FILE-RECORD QUESTIONS

- Does the file show whether the payoff demand matched the lender of record?
- Does the file show whether good-through dates were honored before release?
- Does the file show whether the office checked the demand before disbursement?
- Does the file contain checked payoff demand, lender confirmation, and disbursement timing relative to the good-through date?

### DOCUMENTS THAT MATTERED

- Payoff demand
- Lender verification
- Good-through date
- Disbursement authorization
- Escrow instructions

### REPRESENTATIVE RECORDS

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#### Citrus El Dorado v. Chicago Title — California Court of Appeal

Cal. Ct. App. 4th Dist. · Court of Appeal opinion · January 1, 2019

Clarifies limits on trustee and title-company investigative duties during nonjudicial foreclosure — relevant to payoff and assignment disputes.

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#### Branscomb v. JPMorgan Chase Bank — California Court of Appeal

Cal. Ct. App. 1st Dist. Div. 1 · Court of Appeal opinion · January 31, 2014

Shows how a zero payoff demand, reconveyance request, escrow receipt, and equitable priority fight can turn on what the escrow file showed and who owed duties.

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#### Bedrock Financial v. IRS — E.D. Cal. order

E.D. Cal. · Federal court order · May 21, 2013

Shows refinance escrow proof issues: closing instructions, lien priority, payoff amount, tax-lien notice, disbursement ledger, and whether proceeds were routed to junior claims.

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## Plaza Home Mortgage v. North American Title — California Court of Appeal

Cal. Ct. App. 4th Dist. · Court of Appeal opinion · January 1, 2010

Teaches post-close escrow disbursement duties and lender reliance on recorded closing instructions after funding.

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## Post-Closing Evidentiary Disputes

### WHAT THE FILE NEEDED TO SHOW

Retention log, audit trail, and closing file index at time of dispute.

### FILE-RECORD QUESTIONS

- Does the file show whether required records were retained after closing?
- Does the file show whether audit trails showed who changed what and when?
- Does the file show whether missing documentation was explainable from the file?
- Does the file contain retention log, audit trail, and closing file index at time of dispute?

### DOCUMENTS THAT MATTERED

- Record retention log
- Audit trail
- Closing file index
- Correspondence file

### REPRESENTATIVE RECORDS

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#### Branscomb v. JPMorgan Chase Bank — California Court of Appeal

Cal. Ct. App. 1st Dist. Div. 1 · Court of Appeal opinion · January 31, 2014

Shows how a zero payoff demand, reconveyance request, escrow receipt, and equitable priority fight can turn on what the escrow file showed and who owed duties.

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#### Markowitz v. Fidelity National — California Court of Appeal

Cal. Ct. App. 2d Dist. Div. 4 · Court of Appeal opinion · August 30, 2006

Teaches the duty boundary for sub-escrow payoff and reconveyance handling when money and documents are exchanged to clear a deed of trust.

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#### Bartold v. Glendale Federal Bank — California Court of Appeal

Cal. Ct. App. 4th Dist. Div. 3 · Court of Appeal opinion · June 19, 2000

Teaches that payoff, reconveyance, trustee, lender, and escrow correspondence must show who was supposed to deliver and record post-payoff documents.

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## Cathay Bank v. Fidelity National Title — California Court of Appeal

Cal. Ct. App. 2d Dist. Div. 2 · Court of Appeal opinion · May 14, 1996

Shows why payoff-demand amounts, sub-escrow payment, close timing, and release/reconveyance records matter in title and escrow files.

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