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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

MARYANN BLAKE
969 S. Peachtree Dr.
Toquerville, UT 84774
License No. 84554

**STIPULATION
&
ORDER**

Docket No. 2010-013 PC

Enf. Case No. 2605

STIPULATION

1. Respondent, Maryann Blake, is a licensed title insurance agent in the State of Utah, holding License No. 84554.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:

a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;

b. Respondent admits the Findings of Fact and Conclusions made therefrom;

c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

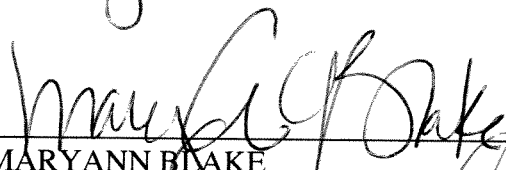
3. Respondent is aware of her right to a hearing at which she may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived her right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to her rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 25th day of February, 2010.



MARYANN BLAKE



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent, Maryann Blake (“Blake”), is a licensed title and escrow agent in the State of Utah, holding License No. 84554, and is a co-owner, manager and is designated on the license of Meridian Title Of St. George, Inc. (“Meridian”).

2. Between the dates of at least April 9, 2008 and December 28, 2009, Respondent Blake, acting in her capacity as an escrow agent for Meridian, diverted funds held in trust in Meridian’s escrow trust account for her own benefit in amounts exceeding \$400,000.00.

3. As a result of said diversion of funds, Respondent was unable to pay off mortgages and other liens in connection with the escrows she closed, thus harming her customers and the public.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In diverting funds held in trust to her own benefit, Respondent Blake violated Utah Code Annotated § 31A-23a-409(6).

2. In failing to use the funds held in trust for the purposes for which they were intended, Respondent Blake violated Utah Code Annotated §§ 31A-23a-409(1)(d)(i) and 31A-25-305(1).

3. Respondent Blake’s actions demonstrate that she does not meet the character

requirements to hold an insurance license under Utah Code Annotated § 31A-23a-107(2), of competent and trustworthy.

4. Respondent Blake's title agent's license should be revoked pursuant to Utah Code Annotated § 31A-23a-111(5)(b)(i), is unqualified for a license; -111(5)(b)(ii)(A), has violated an insurance statute; -111(5)(b)(xii), improperly withholds, misappropriates, or converts monies ... received in the course of doing insurance business; -111(5)(b)(xvi), in the conduct of business ... uses fraudulent ... or dishonest practices or demonstrates ... untrustworthiness or financial irresponsibility; and -111(5)(b)(xxiv), uses methods or practices in the conduct of business that endangers the legitimate interests of customers and the public.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Recommended Order:

RECOMMENDED ORDER

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

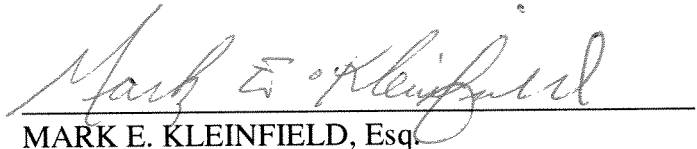
1. Respondent's title insurance agent's license be revoked forthwith.

FOLLOWING THE IMPOSITION OF THE FORGOING PENALTY BY THE TITLE AND ESCROW COMMISSION, the Respondent is Ordered to cease doing any title or escrow business in the State of Utah or doing any other business for which a license from the department is required in this state. Respondent is further prohibited from being an owner, officer, director,

employee, or agent of any person doing an insurance business in this state.

DATED this 1st day of March, 2010.

NEAL T. GOOCH
ACTING INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

ADOPTION OF RECOMMENDED ORDER AND IMPOSITION OF PENALTY

By a vote of 5 to 0, taken in open meeting on this date, the Title and Escrow Commission hereby adopts the recommended order of the presiding officer and imposes the penalties recommended herein above.

DATED this 8th day of March, 2010.



JERRY HOUGHTON, Chairman
Title and Escrow Commission

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject

you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

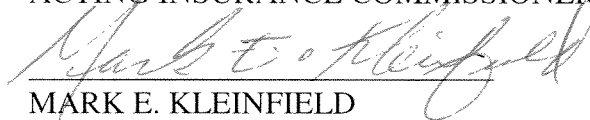
You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CONCURRENCE WITH COMMISSION IMPOSED PENALTY

On behalf of the Commissioner of the Utah Insurance Department I hereby concur
with the penalty imposed by the Utah Title and Escrow Commission in the above matter.

DATED this 6th day of March, 2010.

NEAL T. GOOCH
ACTING INSURANCE COMMISSIONER



MARK E. KLEINFELD
Administrative Law Judge

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail postage prepaid a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Maryann Blake
969 S. Peachtree Drive
Toquerville, UT 84774

DATED this 8th day of March 2010



Linda Hardy
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901