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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

UTAH INSURANCE DEPARTMENT, Complainant, v. SURETY TITLE AGENCY 9978 South Redwood Road South Jordan, UT 84095 License No. 2745 Respondent.	**STIPULATION AND ORDER** Docket No. 2015-089-PC Enf. Case No. 3647 Judge Mark E. Kleinfield Administrative Law Judge

STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Surety Title Agency ("Respondent"), hereby stipulate and agree as follows:

1. Respondent is an active resident title insurance agency authorized to do business in the State of Utah under License No. 2745. Respondent's business address is 9978 South Redwood Road, South Jordan, UT 84095.

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code Section 63G-4-210; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent has the right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and the signed Order, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 21 day of August, 2015.

Jeff C. Worthington, President
SURETY TITLE AGENCY

Dated this 25th day of August, 2015

Gary D. Josephson, Assistant Attorney General
UTAH INSURANCE DEPARTMENT

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

FINDINGS OF FACT

1. On March 6, 2015, the Department compiled a list of all title producers who had reinstated their licenses during January, 2015. A review of Department records disclosed that Respondent's license had lapsed on January 31, 2015 and was reinstated on February 11, 2015.

2. On May 6, 2015, the Department sent a letter to Respondent requesting a list of all title business conducted between February 1, 2015 and February 11, 2015.

3. On May 18, 2015, Respondent replied to the Department stating that 24 closings were conducted and 92 commitments were signed during Respondent's license lapsed period.

4. Prior to this matter, on October 2, 2012, Respondent was issued a private letter of admonition involving a producer who was allowed to conduct 31 closings on its behalf while the producer's license was lapsed.

5. Respondent was cooperative during the investigation and has taken responsibility for the violations.

6. On June 28, 2015, Respondent agreed to an administrative forfeiture in the amount of $1,500.00.

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

CONCLUSIONS OF LAW

1. Utah Code Section 31A-23a-103(1) requires an agency to be licensed in order to conduct title business in the state, and any producer it utilizes must also be licensed. In violation of this statute, Respondent allowed its license to lapse and conducted 24 closings and issued 92 commitments during the lapsed

2. Utah Code Section 31A-23a-302 requires an agency to designate an individual to it for that individual to conduct business of the agency's behalf. In violation of this statute, Respondent had no individuals designated to it during the unlicensed period.

3. An Administrative forfeiture of $1,500.00 is appropriate under the circumstances.

Based on the foregoing Findings and Fact and Conclusions of Law, the Administrative law Judge makes the following Order:

ORDER

Respondent shall pay an administrative forfeiture in the amount of $1,500.00 to the Department within thirty days of the signed Commission's Order is signed.

DATED this 26 day of August, 2015.

TODD E. KISER
Insurance Commissioner

MARK E. KLEINFIELD
Administrative Law Judge
Utah Insurance Department

COMMISSION'S CONCURRENCE WITH ORDER

By a vote of 3 to 0, taken in open meeting on this date, the Title and Escrow Commission hereby concurs with the Order of the presiding officer in this administrative action.

DATED this 14 day of Sept., 2015.

Robert E. Rho ~~JEFFERY D. WIENER, Chairman~~
Title and Escrow Commission

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to $5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to $10,000 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.

COMMISSIONER CONCURRENCE

WITH COMMISSION IMPOSED PENALTIES

The Commissioner of the Utah Insurance Department hereby concurs with the above and forgoing Utah Title and Escrow Commission imposed penalties in the present adjudicative proceedings.

Dated this 14 day of September, 201__.

TODD E. KISER,
Commissioner,
Utah Insurance Department,
BY: Mark E. Kleinfield
Mark E. Kleinfield
Administrative Law Judge

CERTIFICATE OF MAILING

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing **STIPULATION AND ORDER** was mailed, postage prepaid, to the following:

DATED this 14th day of September, 2015.

SURETY TITLE AGENCY
JEFF C. WORTHINGTON
9978 SOUTH REDWOOD ROAD
SOUTH JORDAN, UT 84095

Linda Hardy

LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901

UTAH
Invoice

Printed Date: September 14, 2015

Invoice Date: July 28, 2015
Balance Due: $0.00
Due Date: September 01, 2015
Invoice ID: 785745

SURETY TITLE AGENCY
9978 SOUTH REDWOOD ROAD
SOUTH JORDAN UT 84095

Item Description		Amount
Monetary Penalty Agency		$1,500.00
	Original Amount Due	$1,500.00
Payments Received		
7/30/2015 Check		$1,500.00
	Balance Due	$0.00

UTAH
Invoice

Printed Date: September 14, 2015

Invoice Date: July 28, 2015
Balance Due: $0.00
Due Date: September 01, 2015
Invoice ID: 785745

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Detach and Return with Payment