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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

STEVEN D. BRANTLEY
1212 W. Country Ridge Dr.
South Jordan, UT 84095
License No. 71097

**STIPULATION
&
ORDER**

Docket No. 2007-133LC

Enf. Case No. 2028

STIPULATION

1. Respondent, Steven D. Brantley, is a licensed insurance agent in the State of Utah, holding License No. 71097.
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 neither admits nor denies 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 his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

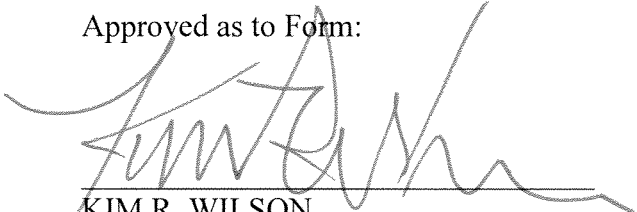
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

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

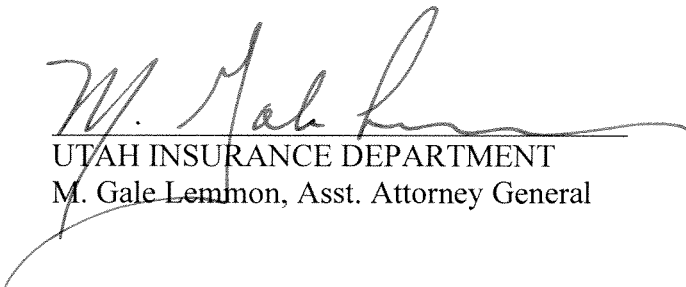
6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 9 day of June, 2008.

Approved as to Form:


KIM R. WILSON
Attorney for Respondent


STEVEN D. BRANTLEY


UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Asst. 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. During a period of just over three months, from June 22, 2006, through September 28, 2006, Respondent closed eight real estate transactions in which Kevin Leatham purchased eight different homes. Each transaction included as part of the transaction the issuance of a title policy.

2. In at least seven of these transactions, the buyer, Mr. Leatham, stated in the loan applications that he was to occupy each of these homes as his primary residence. Respondent knew or should have known that these representations were false. In no case did Respondent notify the lender of the apparent discrepancy, and in failing to do so, violated his fiduciary duty to a party to the escrow.

3. In at least seven of these transactions the Respondent created HUD1s that showed the buyer was to bring in cash to be paid at closing while the disbursement records show that the Respondent either paid nothing at closing or received cash out at the closing. In creating HUD1s that misstated the transaction, Respondent provided false or misleading information in relation to an insurance policy and violated Respondent's fiduciary duty to the lender, a party to the escrow.

4. In each of the eight transactions the disbursements made by the Respondent did not match the amounts shown on the HUD1s. Failure to make disbursements as required in the closing is a violation of the Respondent's fiduciary duty to the parties to the escrow.

5. At least five of the transactions provided for the escrow of tens of thousands of dollars due to the seller to pay for landscaping and home improvements. In each of these instances Respondent paid the funds out to an entity owned by the buyer at the buyer's request without obtaining any receipts or invoices or any other evidence that the work for which the funds were

escrowed had been performed. In paying out funds held in escrow when the terms of the escrow had not been met, Respondent violated his fiduciary duty to the parties to the escrow.

7. In at least three of the transactions, Respondent produced two sets of HUD1s that were at variance, and provided a HUD1 to the lender that did not reflect the true transaction. In creating HUD1s that contained false or misleading information, Respondent provided false or misleading information in relation to an insurance policy and violated Respondent's fiduciary duty to the lender, a party to the escrow.

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

CONCLUSIONS OF LAW

1. Respondent's title insurance license should be revoked pursuant to Utah Code Annotated § 31A-23a-111(5)(b)(i), is unqualified for a license; and –111(5)(b)(ii)(a), has violated an insurance statute.

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

ORDER

IT IS HEREBY ORDERED:

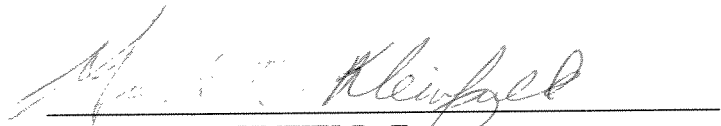
1. Respondent shall immediately cease doing any insurance business in the State of Utah and shall not be an owner, officer, director, employee or agent of any person doing an insurance business in the State of Utah.

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

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

DATED this 10th day of June, 2008.

D. KENT MICHIE
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

IMPOSITION OF PENALTY

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

Dated this 14 day of July, 2008.



GLEN W. ROBERTS, 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 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 Commission in the above matter.

DATED this 14 day of July, 2008.

D. KENT MICHIE
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:

Steven D Brantley
1212 W Country Ridge Dr
South Jordan, Utah 84095

Kim R Wilson
Snow, Christensen, & Martineau
10 Exchange Place, 11th Floor
PO Box 45000
SLC, Utah 84145

DATED this 14th day of July, 2008.


Angie Thomas Court Clerk

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