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Salt Lake City, UT 84114  
Telephone (801) 538-3872

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

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

WASATCH LAND & TITLE INSURANCE  
AGENCY, INC.

148 N. Main Street  
Spanish Fork, UT 84660  
License No. 6882

**STIPULATION  
&  
ORDER**

Docket No.

2008-161 PC

Enf. Case No. 2158

**STIPULATION**

1. Respondent, Wasatch Land & Title Insurance Agency, Inc., is a licensed title insurance agency in the State of Utah, holding License No. 6882.
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 its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

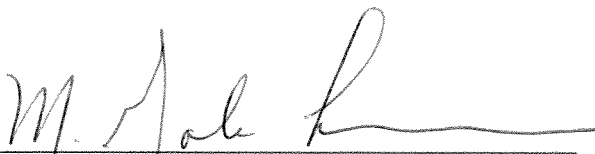
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its 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 13 day of November, 2008.

  
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WASATCH LAND & TITLE INSURANCE  
AGENCY, INC.  
Jens P. Nielson, President

  
\_\_\_\_\_  
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. On or about June 28, 2007, Respondent sold an owners title insurance policy for property located in the State of Utah, charging a re-issue rate when no title work had previously been completed on that property since 2004, and a re-issue rate was not justified.

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

### **CONCLUSIONS OF LAW**

1. In charging a re-issue rate for a title insurance policy when such was not justified, Respondent violated Utah Code Annotated § 31A-23a-402(2)(c).

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

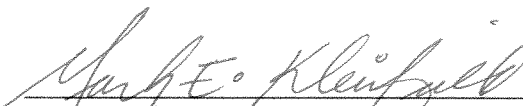
### **ORDER**

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

1. The Respondent be assessed an administrative forfeiture in the amount of \$5,000.00, to be paid within 30 days of the date of the imposition of the penalty by the Title and Escrow Commission.

DATED this 19<sup>th</sup> day of November, 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 7 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 5 day of Dec, 2008.

  
Canyon Anderson, 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 Commission in the above matter.

DATED this 15 day of December 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
\_\_\_\_\_  
MARK E. KLEINFELD  
Administrative Law Judge

CERTIFICATE OF MAILING

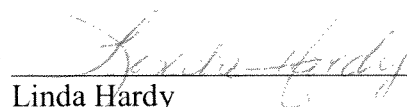
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

Wasatch Land & Title Insurance Agency, Inc.  
148 N. Main Street  
Spanish Fork, UT 84660

DATED this 15<sup>th</sup> day of December 2008.



Linda Hardy

Court Clerk

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

**UTAH  
Invoice**

Printed Date: December 15, 2008

Invoice Date: December 15, 2008  
Balance Due: \$5,000.00  
Due Date: January 16, 2009  
Invoice ID: 399461

WASATCH LAND TITLE INSURANCE AGENCY INC  
148 NORTH MAIN STREET  
SPANISH FORK UT 84660

<b>Item Description</b>	<b>Amount</b>
Monetary Penalty Agency	\$5,000.00
<b>Original Amount Due</b>	<u>\$5,000.00</u>

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**UTAH  
Invoice**

Printed Date: December 15, 2008

Invoice Date: December 15, 2008  
Balance Due: \$5,000.00  
Due Date: January 16, 2009  
Invoice ID: 399461

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**