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UTAH STATE
INSURANCE DEPT.

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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

CHAD KEITH BUTLER
6975 S. Union Park Center, Suite 120
Midvale, UT 84047
License No. 259180

**STIPULATION
&
ORDER**

Docket No. 2009-053 PC

Enf. Case No. 2352

STIPULATION

1. Respondent, Chad Keith Butler, is a licensed title insurance marketing agent in the State of Utah, holding License No. 259180.
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 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 3 day of April, 2009.



CHAD KEITH BUTLER



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. In July 2008, Respondent, in his capacity as a marketing representative for Title One, a Utah licensed title insurance agency, arranged for the distribution of a flyer to real estate agents that advertised training to be held August 7, 2009, regarding working with mortgage loan brokers and sponsored by Residential Mortgage Professionals, a title client. That flyer had the names of the Respondent as a contact and Title One as the location for the training, and constituted co-advertising with a title client.

2. During the same period, Respondent, in his capacity as a marketing representative for Title One, allowed his name to be placed on the web site of Residential Mortgage Professionals as the contact person for the training referred to in paragraph 1, above.

3. In August 2008, Respondent, in his capacity as a marketing representative for Title One, co-advertised himself and Title One with AmTrust Mortgage Banking, a title client, training regarding electronic signatures, which training was to be held at the offices of Title One.

4. Respondent represented Title One as a marketing representative and was not designated on the license of Title One until October 3, 2008.

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

CONCLUSIONS OF LAW

1. In co-advertising with title clients, Respondent violated Utah Administrative Code Rule R590-153-6.B.

2. In acting as a representative of Title One without being designated on the agency's license, Respondent violated Utah Code Annotated § 31A-23a-302(1).

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

ORDER

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

1. The Respondent be assessed an administrative forfeiture in the amount of \$500.00. The amount of \$250.00 to be stayed pending the completion of the additional continuing education that is part of the terms of probation, the balance of \$250.00 to be paid within 30 days of the date of the imposition of the penalty by the Title and Escrow Commission.

2. The Respondent's title insurance agent's license be placed on probation for a period of 12 months beginning with the date of the imposition of the probation by the Title and Escrow Commission. The recommended terms of probation are:

- a. Respondent shall timely pay the forfeiture assessed herein in a timely manner.
- b. Respondent shall complete 10 hours of continuing education directly related to title marketing practices/ethics within 6 months following the imposition of the penalty by the Title and Escrow Commission. Said continuing education shall be in addition to the continuing education required for renewal of Respondent's license.
- c. Respondent shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.

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 _____ day of APR 13 2009 2009.


D. KENT MICHIE
INSURANCE COMMISSIONER



MARK E. KLEINFELD
Administrative Law Judge

DATED this 8th day of April, 2009.

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 3 to 1, taken in open meeting on this date, the Title and Escrow Commission hereby imposes the penalties recommended in the Order herein above.

Dated this _____ day of APR 13 2009, 2009.



CANYON W. 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 \$2,500.00 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.

CERTIFICATE OF MAILING

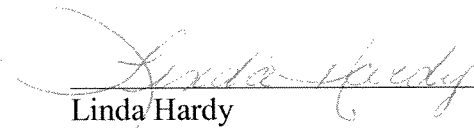
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION
&
ORDER

Chad Keith Butler
6975 S. Union Park Center, Suite 120
Midvale, UT 84047

To the following:

DATED this 13th day of April, 2009.



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

**UTAH
Invoice - Original**

Printed Date: April 13, 2009
Invoice Date: April 13, 2009
Balance Due: \$250.00
Due Date: May 13, 2009
Invoice ID: 408695
Payor ID: 139783

BUTLER CHAD KEITH
6975 S UNION PARK CENTER STE 120
MIDVALE UT 84047

Item Description	Amount
4/13/2009 Monetary Penalty Individual E-Case 2352 Docket 2009-053 LC	\$250.00
Original Amount Due	\$250.00

**UTAH
Invoice - Original**

Invoice Date: April 13, 2009
Balance Due: \$250.00
Due Date: May 13, 2009
Invoice ID: 408695
Payor ID: 139783
Payor Name: BUTLER, CHAD
KEITH

Make checks payable to: Utah Insurance Department

Send payment to:

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