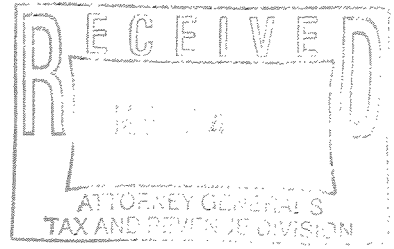


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**BEFORE THE INSURANCE COMMISSIONER  
 OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

SUMMIT ESCROW & TITLE INSURANCE  
 AGENCY, LLC

1500 Kearns Blvd., Suite E-100  
 P.O. Box 503  
 Park City, UT 84060  
 License No. 90558

**STIPULATION  
 &  
 ORDER**

**Docket No. 2011-007 PC**

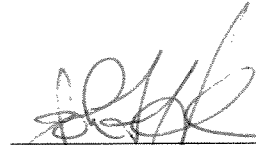
Enf. Case No. 2598

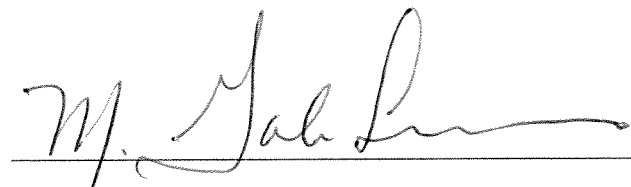
**STIPULATION**

1. Respondent, Summit Escrow & Title Insurance Agency, LLC, is a licensed title insurance agency in the State of Utah, holding License No. 90558.
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 24<sup>th</sup> day of March, 2011.

  
\_\_\_\_\_  
SUMMIT ESCROW & TITLE INSURANCE AGENCY, LLC  
John Hanlon, Esq., Member

  
\_\_\_\_\_  
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 November 30, 2009, Summit Escrow & Title Insurance Agency, LLC (“Summit”), acting as an escrow agent conducted a split closing for property located in Kamas, Utah, Summit’s file no. 09-11-027.
2. Summit represented the buyer in the closing which was a cash closing with no lender.
3. Summit did not issue a policy of title insurance in connection with this closing.

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

**CONCLUSIONS OF LAW**

1. In conducting an escrow closing without issuing a policy of title insurance, Summit violated Utah Code Annotated § 31A-23a-406(1).

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

**RECOMMENDED ORDER**

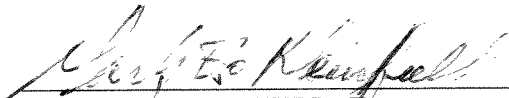
IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Summit Escrow & Title Insurance Agency, LLC be assessed an administrative forfeiture in the amount of \$1,000.00, to be paid within 30 days of the adoption of this penalty by the Title and Escrow Commission.
2. The license of Summit Escrow & Title Insurance Agency, LLC be placed on probation for a period of 6 months beginning with the date of the adoption of this penalty by the

Title and Escrow Commission. The terms of probation are that Summit shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.

DATED this 4<sup>th</sup> day of April, 2011.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

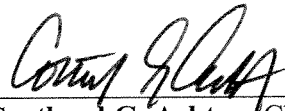


MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

**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 11 day of April, 2011.



Cortlund G. Ashton, 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 11 day of April, 2011.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

  
MARK E. KLEINFELD  
Administrative Law Judge