

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

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

COMPLAINANT:	:	EMERGENCY PROCEEDING
	:	SUSPENSIOIN OF LICENSE
UTAH INSURANCE DEPARTMENT	:	
	:	
RESPONDENT:	:	
	:	
Maryann Blake	:	
969 S Peachtree Drive	:	
Tourqurville, Utah 84774	:	DOCKET NO: <u>2010-013</u> PC
	:	
	:	E-CASE NO. <u>2605</u>
	:	
	:	
License ID: 84554	:	

Pursuant to Utah Code Annotated (U.C.A.) § 63G-4-502 and §31A-23a-111 and Utah Administrative Code (U.A.C.) Rule R590-160, the commissioner hereby institutes this Emergency Proceeding immediately suspending the licensed of the Respondent. Based upon The information contained in the files of the department and known to the Commissioner, the presiding officer enters the following:

FINDINGS OF FACT

1. Respondent, Maryann Blake (“Blake”), is a licensed title and escrow agent in the state of Utah, holding License No. 84554, and is a co-owner, manager and is designated on the license of Meridian Title of St. George, Inc.

2. Meridian Title of St. George, Inc. (“Meridian”), is a licensed title and escrow agency in the State of Utah, holding License No. 240879.

3. During the period of at least 2008 and 2009, Respondent Blake, acting in her capacity as an escrow agent for Meridian, diverted funds held in trust in Meridian’s escrow account for her own benefit in amounts exceeding \$200,000.00.

4. As a result of said diversion of funds, Respondent was unable to pay off mortgages and other liens in connection with the escrows she closed, thus harming her customers and the public.

5. Respondent’s license is subject to immediate suspension and revocation pursuant to Utah Code Annotated § 31A-23a-111.

Based upon the forgoing Finding of Fact, the presiding officer now enters the following:

CONCLUSION OF LAW

1. In diverting funds held in trust to her own benefit, Respondent Blake violated Utah Code Annotated § 31A-23a-409(6).

2. In failing to use the funds held in trust for the purpose for which they were intended, Respondent Blake violated Utah code annotated §§31A-23a-409(1)(d)(i) and 31A-25-305(1).

3. Respondent Blake’s actions demonstrate that she does not meet the character

requirements to hold an insurance license under Utah Code Annotated § 31A-23a-107(2), of competent and trustworthy.

4. The actions of Respondent constitute an immediate and significant danger to the welfare of the public, justifying emergency action by the department under Utah Code Annotated § 63G-4-502.

5. Respondent's title license should be immediately suspended in order to protect the public from further loss by the actions of Respondent.

Having entered his finding of Fact and Conclusions of Law, the presiding officer now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. The Respondent's insurance license is hereby suspended forthwith for a period of 12 months from the date of this Order or until further order of the Commissioner, whichever shall first occur.

2. Respondent shall immediately cease doing any and all title and escrow insurance business in the State of Utah.

3. The department shall commence a formal adjudicative proceeding against the Respondent for the revocation of her license pursuant to the provisions of U.C.A. §63G-4-101, *et seq.*

NOTIFICATION

You are hereby notified that you may request a hearing on this matter by filing a written request for hearing within 15 days of the date of this Order, stating the grounds for relief.

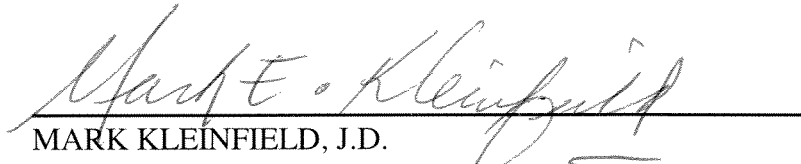
If you request a hearing regarding this matter, the department will be represented by M. Gale

Lemmon, Enforcement Counsel, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the revocation of your license and the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$10,000.00 per day for continued violation.

DATED THIS 19th day of January, 2010.

NEAL T. GOOCH
ACTING INSURANCE COMMISSIONER

A handwritten signature in cursive script, reading "Mark E. Kleinfeld", is written over a horizontal line.

MARK KLEINFELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

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:

EMERGENCY PROCEEDING
SUSPENSION OF LICENSE

TO THE FOLLOWING:

Maryann Blake
969 S Peachtree Dr.
Tourqurville, UT 84774

DATED THIS 19th DAY OF January 2010



Suzette Green-Wright
Market Conduct Director
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114-6901