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UTAH STATE  
INSURANCE DEPT.

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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH

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**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENTS:**

RYAN B. HOSKINS  
c/o Titan Title Insurance Agency  
5296 S. Commerce Drive, #101  
Murray, UT 84107  
License No. 222575

**STIPULATION AND ORDER**

Docket No. 2010-123 PC

Enf. Case No. 2637

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**STIPULATION**

1. Respondent, Ryan B. Hoskins ("Hoskins") is a licensed title insurance agent in the State of Utah, holding License No. 222575.
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.

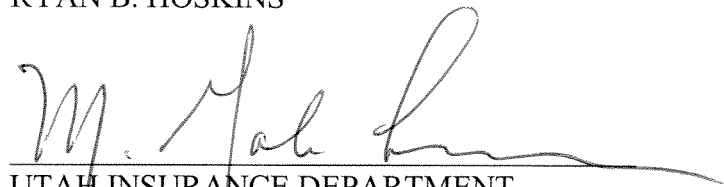
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

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 purpose of disposition of the matter entitled herein.

DATED this 8 day of July, 2010.

  
\_\_\_\_\_  
RYAN B. HOSKINS

  
\_\_\_\_\_  
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 20, 2009, Market Conduct Department staff member, Sheila Curtis, received via email a single page promotional handout which set out closing costs and fees of Surety Title Agency (“Surety”).

2. Subsequent investigation determined that on October 21, 2010, Respondent Ryan Hoskins, an escrow officer with Surety had distributed this flyer to loan officers of Affordable Home Loans in an effort to secure business.

3. The flyer quoted a rate of \$0 for document preparation fees.

4. Surety’s filed rate for document preparation is \$25.00.

5. In a November 23, 2009 letter to Surety, Curtis and advised Surety that the flyer, quoting document preparation fees of \$0, was in violation of Section 31A-23a-401 (West 2009).

6. On December 3, 2009, the Department received a response letter from Respondent Hoskins stating he was unaware of the filed rate and apologized for the oversight.

7. Respondent Hoskins thereafter sent an email and a hard copy letter to all loan officers of Affordable Home Loans advising them that Surety Title had a filed minimum rate of \$25.00 for document preparation with the Department, and that the fee would be charged.

8. Respondent was timely in its response to Curtis, and provided evidence to her of his timely effort to correct the violation.

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

**CONCLUSIONS OF LAW**

1. Utah Administrative Code Rule R592-6-4, states in part:

... that providing or offering to provide any of the following benefits ... is a material and unfair inducement to obtaining title insurance business and constitutes an unfair method of competition.

(3) Furnishing escrow services pursuant to Section 31a-23a-406:

(a) for a charge less than the charge filed pursuant to Section 31A-19a-209(5) ...

2. Respondent violated the above provision on October 21, 2009 when a flyer was distributed to potential clients which quoted a rate for document preparation below the filed rate.

3. An administrative forfeiture in the amount of \$500.00 is appropriate under the circumstances of this case.


**RECOMMENDED ORDER**

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

1. Respondent Ryan B. Hoskins be assessed an administrative forfeiture in the amount of \$500.00 to be paid to the Commissioner within 30 days of the date of the Order.

DATED this 13<sup>th</sup> day of July, 2010.

NEAL T. GOOCH  
Acting Insurance Commissioner

  
MARK E. KLEINFELD  
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 IF PENALTY**

By a vote of \_\_\_\_\_ to \_\_\_\_\_, taken in open meeting on this date, the Title and Escrow Commission hereby adopts the Recommended Order of the Presiding Officer and imposes the penalty recommended above.

DATED this 9<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
JERRY HOUGHTON, 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.

**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 9<sup>th</sup> day of August, 2010.

NEAL T. GOOCH  
INSURANCE COMMISSIONER



MARK E. KLEINFELD  
Administrative Law Judge