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RECEIVED
JAN 13 2012
UTAH STATE
INSURANCE DEPT.

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENT:</p> <p>WASATCH TITLE INSURANCE AGENCY, LLC 1245 East Brickyard Road #350 Salt Lake City, UT 84106 License No. 92379</p>	<p>STIPULATION AND ORDER</p> <p>Docket No. 2012-008 PC</p> <p>Enf. Case No. 3057</p>
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STIPULATION

1. Respondent, Wasatch Title Insurance Agency LLC is a licensed title insurance agency in the State of Utah, holding License 92379.
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.

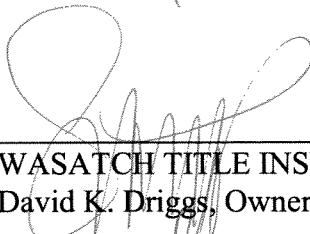
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

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

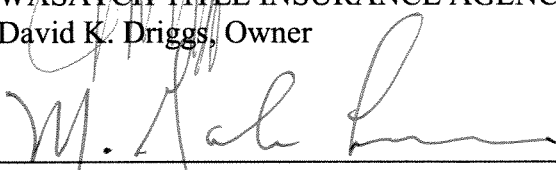
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Title and Escrow Commission is solely for purpose of disposition of the matter entitled herein.

DATED this 17 day of January, 2012.



WASATCH TITLE INSURANCE AGENCY, LLC
David K. Driggs, Owner



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon
Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Office makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about August 24, 2011, the Department conducted an audit of the Respondent Wasatch Title Insurance Agency, LLC.

2. During the audit it was noted that Rebecca Arnold (Ramirez) was not associated to the agency but appeared on the audited company files.

3. After reviewing SIRCON licensing records, it was determined that Ramirez's license had lapsed On October 31, 2010 with no reinstatement. Sircon records also indicated that Ramirez had never been associated with Wasatch Title Insurance Agency LLC.

4. Audit follow-up correspondence from Respondent's owner indicated that Ramirez had conducted eight closings between the dates of November 8, 2010 to June 3, 2011.

5. A complete audit of Respondent found no other violations.

6. Respondent has agreed to an administrative forfeiture of \$1,500 and will submit a comprehensive business plan that outlines specific policies and procedures with regards to the timely renewal of agency/individual licenses.

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

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-103 addresses the requirement of license as follows:

(1) (a) Unless exempted from the licensing requirement under Section

31A-23a-103, a person may not perform, offer to perform, or advertise any service as a producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary in Utah, without a valid individual or agency license issued under this chapter.

(b) A valid license includes at least one license type and one line of authority pertaining to that license type.

(c) A person may not utilize the services of another as a producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary if that person knows or should know that the other does not have a license as required by law.

(2) This part may not be construed to require an insurer to obtain an insurance producer license.

(3) An insurance contract is not invalid as a result of a violation of this section.

2. At the time of the audit, Respondent was utilizing the services of an unlicensed producer, in violation of the above provision.

3. Utah Code Ann. § 31A-23a-302 requires that “an agency shall designate an individual that has an individual producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary license to act on the agency’s behalf in order for the licensee to do business for the agency in this state.”

4. At the time of the audit Respondent was utilizing a producer’s services without a designation, in violation of the above statute.

RECOMMENDED ORDER

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

1. Respondent, Wasatch Title Insurance Agency LLC, be assessed an administrative forfeiture in the amount of \$1,500.00 to be paid to the Department within 30 days of issuance of the Commission’s Order.

2. Within 30 days, Respondent shall submit to the Department a comprehensive business

plan that outlines specific policies and procedures with regards to the timely renewal of the agency and individual licenses.

DATED this _____ day of JAN 24 2012, 2012.

NEAL T. GOOCH
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 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 penalty recommended herein above.

DATED this _____ day of FEB 13 2012, 2012.



DIRK DONALD KEYES, Chairman
Title and Escrow Commission

NOTIFICATION

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose

forfeitures of up to \$10,000 per day for continued violation.

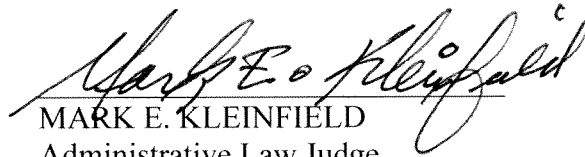
You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

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 ____ day of ~~FEB 13 2012~~ 201__.

NEAL T. GOOCH
INSURANCE COMMISSIONER


MARK E. KLEINFELD
Administrative Law Judge

CERTIFICATE OF MAILING

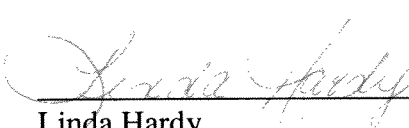
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Wasatch Land & Title Insurance Agency, LLC
David Driggs
1245 East Brickyard Road #350
Salt Lake City, UT 84106

DATED this 13th day of February, 2012



Linda Hardy
Market Conduct
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901
801-538-3860

**UTAH
Invoice**

Printed Date: February 13, 2012

Invoice Date: January 23, 2012
Balance Due: \$0.00
Due Date: February 27, 2012
Invoice ID: 554631

WASATCH TITLE INSURANCE AGENCY LLC
1245 EAST BRICKYARD ROAD
SUITE 350
SALT LAKE CITY UT 84106

Item Description	Amount
Monetary Penalty Agency	\$1,500.00
Original Amount Due	<u>\$1,500.00</u>
Payments Received	
1/24/2012 Check	\$1,500.00
Balance Due	<u>\$0.00</u>

**UTAH
Invoice**

Printed Date: February 13, 2012

Invoice Date: January 23, 2012
Balance Due: \$0.00
Due Date: February 27, 2012
Invoice ID: 554631

Make checks payable to: Utah Insurance Department

Send payment to:

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