

M. GALE LEMMON #4363  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
Attorney General  
Attorneys for Utah Insurance Department  
160 East 300 South, Fifth Floor  
P.O. Box 140874  
Salt Lake City, UT 84114-0874  
Telephone (801) 366-0375

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER</b>
UTAH INSURANCE DEPARTMENT	:	
<b>RESPONDENT:</b>	:	
FIRST AMERICAN TITLE INSURANCE CO.	:	DOCKET No. <u>2012-080 PC</u>
560 South 300 East	:	
Salt Lake City, Utah 84111	:	Enforcement Case No. 3132
Attn: Mark Webber	:	
	:	
NAIC ID 50814	:	

---

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-101 and 63-46b-3 and Utah Admin. Code R590-160.

Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

### FINDINGS OF FACT

1. Respondent is a licensed title insurance company in the State of Utah.
2. Failure to pay the Branch Office and Recovery Fund Assessments due by December 30, 2011.
3. Failure to respond to an inquiry of the Commission dated February 27, 2012 with a time for response no later than March 5, 2012.

4. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

### **CONCLUSION OF LAW**

1. In failing to pay an assessment when due, Respondent violated Utah Code Ann. §31A-23a-415 and R592-10.

2. In failing to submit a response to an inquiry from the Commissioner, the Respondent violated Utah Code Ann. Subsection 31A-2-202(4).

3. Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

### **ORDER**

#### **IT IS HEREBY ORDERED:**

1. Respondent shall pay an administrative forfeiture in the amount of \$1,500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

### **NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 East 300 South, Fifth Floor, (PO Box 140874), Salt Lake City, Utah 84114-0874, Telephone Number (801) 266-0375. 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.

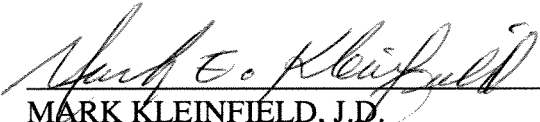
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order in District Court which may impose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

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

**Questions regarding this Adjudicative Proceeding should be directed to Tammy Greening at the Utah Insurance Department (801) 538-3786.**

DATED THIS 7<sup>th</sup> day of May, 2012.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

  
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

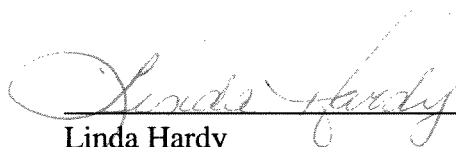
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

First American Title Insurance  
Attn: Mark Webber  
560 South 300 East  
Salt Lake City, UT 84111

DATED this 7<sup>th</sup> day of May, 2012

A handwritten signature in cursive script that reads "Linda Hardy". The signature is written in dark ink and is positioned above a horizontal line.

Linda Hardy  
Market Conduct

**UTAH  
Invoice**

Printed Date: May 07, 2012

Invoice Date: May 07, 2012  
Balance Due: \$1,500.00  
Due Date: June 11, 2012  
Invoice ID: 578932

FIRST AMERICAN TITLE INSURANCE COMPANY  
PO BOX 4020  
SCOTTSDALE AZ 85261-4020

**Item Description**

Monetary Penalty Agency

**Amount**

\$1,500.00

**Original Amount Due**

\$1,500.00

**Payments Received**

**Balance Due**

---

**UTAH  
Invoice**

Printed Date: May 07, 2012

Invoice Date: May 07, 2012  
Balance Due: \$1,500.00  
Due Date: June 11, 2012  
Invoice ID: 578932

Make checks payable to: Utah Insurance Department

Send payment to:

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